JOURNAL

OF THE

INDIANA STATE SENATE,

DURING THE

THIRTY-SECOND SESSION

OF THE

GENERAL ASSEMBLY,

COMMENCING

DECEMBER 6, 1847.

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JOURNAL

OF

THE SENATE OF INDIANA.

The Thirty-Second Session of the General Assembly of the State of Indiana, begun and held at the Capitol, in the City of Indianapolis, on Monday the Sixth day of December, in the year of Our Lord one thousand eight hundred and forty-seven.

The Hon. PARIS C. DUNNING, President of the Senate of the State of Indiana, took the Chair, and directed a call of the Senators whose offices were not vacated since the last session; whereupon,

The following appeared and took their seats:

From the counties of Warren, Jasper, Pulaski, and White—W. G. Montgomery.

From the county of Hendricks—S. A. Verbrike.

From the counties of Boone and Hamilton—Wm. W. Conner.

From the county of Harrison—John Zenor.

From the counties of Grant and Delaware—Richard Winchell.

From the county of Henry—Eli Murphey.

From the county of Knox—A. T. Ellis.

From the county of Putnam—Ambrose D. Hamrick.

From the county of Vermillion—Isaac Chenowith.

From the county of Montgomery—John Beard.

From the county of Floyd—John S. Davis.

From the county of Tippecanoe—Godlove S. Orth.

From the county of Laporte—Andrew L. Osborn.

From the county of Decatur—Joseph Robinson.

From the counties of Fayette and Union—Henry Simpson.
From the counties of Carroll and Clinton—Philip Waters.
From the counties of Bartholomew and Jennings—Heman H. Barbour.
From the county of Marion—William Stewart.

The following Senators, elected since the last session of the General Assembly, appeared and produced their credentials, to whom the oath of office was administered by the Hon. Isaac Blackford, as required by the Constitution, and took their seats:

From the counties of Green and Owen—Lovel H. Rosseau.
From the county of Ripley—William T. S. Cornett.
From the county of Wayne—David P. Holloway.
From the county of Jefferson—Samuel Goodenow.
From the counties of Hancock and Madison—Thomas D. Walpole.
From the county of Rush—A. W. Hubbard.
From the county of Morgan—Alexander B. Conduit.
From the county of Lawrence—M. A. Malott.
From the counties of Miami and Wabash—J. D. Cassatt.
From the counties of Davis and Martin—Aaron Houghton.
From the counties of Huntington, Kosciusko, and Whitley—Elias Murray.

Mr. Davis moved to go into the election of Principal Secretary, which the President of the Senate decided to be out of order.

Mr. Walpole appealed from the decision of the Chair, which appeal was sustained.

Mr. Stewart moved to adjourn;

When Mr. Walpole offered the following resolution:

Resolved, That no motion for adjournment, or for any other purpose, shall be in order until 12 o'clock, M., and we will proceed to elect officers of the Senate with a view to compel the attendance of absent Senators.

And the ayes and noes being called by two Senators,

Those who voted in the affirmative are:

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodenow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphey, Murray, Orth, Robinson, Simpson, Verbrike, Walpole, Winchell, and Zenor—23.

Those who voted in the negative are:

Messrs. Barbour, Malott, Osborn, Rosseau, Stewart, and Waters—6.

The resolution was adopted.

Whereupon the Senate proceeded to the election of Principal Secretary of the Senate, Messrs. Walpole and Barbour acting as tellers.

Upon the first balloting,

John D. Ferguson received	25 votes.
John R. Jones received	1 vote.
Perry E. Robinson received	1 vote.
Blank,	2 votes

John D. Ferguson having received a majority of all the votes given, was declared by the President to be duly elected Principal Secretary of the Senate, under the resolution offered by Mr. Walpole, and adopted by the Senate; and was sworn into office by the Hon. Isaac Blackford.

On motion by Mr. Walpole,

The Senate proceeded to the election of an Assistant Secretary; Messrs. Walpole and Barbour acting as tellers. Upon the first balloting,

Perry E. Robinson received	22 votes.
Lytle received	1 vote.
Blank,	6 votes.

Perry E. Robinson having received a majority of all the votes given, was declared by the President to be duly elected Assistant Secretary of the Senate, under the resolution aforesaid—and was sworn into office by the Hon. Isaac Blackford.

On motion by Mr. Orth,

The Senate proceeded to the election of Door-Keeper and Sergeant-at-arms of the Senate, jointly—Messrs. Walpole and Barbour acting as tellers. The following is the result of the first balloting for Sergeant-at-Arms:

Youse received	24 votes.
Thos. Dunn received	1 vote.
Blank,	3 votes.

For Door-Keeper.

Hawthorn received	21 votes.
Miller received	4 votes.
Blank,	4 votes.

Mr. Youse having received a majority of all the votes given, was declared duly elected Sergeant-at-Arms under the preceding resolution; and Mr. Hawthorn having received a majority of all the votes given for Door-Keeper, was declared duly elected Door-

Keeper under said resolution, and they were sworn into office accordingly.

On motion,

The Senate adjourned until 2 o'clock. P. M.

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2 o'clock P. M.

The Senate assembled.

The president directed a call of the Senators whose offices were not vacated since the last session and who had not yet taken their seats.

The following named Senators appeard and took their seats.

From the county of Johnson—Franklin Hardin.
From the counties of Scott and Jackson—Elisha G. English.
From the counties of Monroe and Brown—William Berry.
From the county of Shelby—Augustus Handy.
From the county of Fountain—Joseph Coates.
From the counties of St. Joseph, Marshall and Fulton—Lot Day.
From the counties of Vigo, Clay, and Sullivan—James H. Henry.
From the counties of Noble, Steuben, and De Kalb—Madison Marsh.
From the county of Dearborn—James P. Millikin.
Foom the counties of Randolph, Blackford, and Jay—Dixon Milligan.
From the counties of Cass, Miami, aad Wabash—Cyrus Taber.

The following Senators elected since the last session of the General Assembly, appeared and were sworn into office, as required by the Constitution, by the Hon. Jehu T. Elliott.

From the counties of Gibson, Pike, and Dubois—Smith Miller.
Frou the counties of Orange, and Crawford—David T. Huffstetter.
From the County of Clark—James G. Read.
From the county of Allen—Franklin P. Randall.
From the counties of Posey and Vanderburgh—Enoch R. James..
From the county of Washington—John J. Morrison.
From the county of Franklin—William M. McCarty presented his credentials, whereupon,

Mr. Ellis moved to lay the credentials of Mr. McCarty on the table.

The ayes and noes being demanded by two Senators on this motion :

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodenow, Hamrick, Holloway, Hubbard, Montgomery, Murray, Orth, Osborn, Robinson, Rosseau, Simpson, Stewart Verbrike, Walpole, Winchell, Zenor—25.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coates, Day, English, Handy, Hardin, Henry, Howel, Houghton, Malott, Marsh, Milligan, Millikin, Waters—15.

Which was carried.

Mr. McCarty's credentials were taken from the table, when Mr. McCarty came forward and was sworn.

Mr. Martin from the counties of Lagrange and Elkhart elected since the last session, appeared, produced his credentials, was duly sworn into office by the Hon. Jehu T. Elliot, and took his seat.

The credentials of Mr. McCarty were taken from the table, by consent of the Senate.

On motion by Mr. Hardin,

Mr. McCarty was permitted to be heard on the subject.

Mr. Handy moved that Mr. McCarty be sworn into office.

Which motion prevailed.

Mr. McCarty thereupon appeared, was duly sworn into office by Judge Elliot, and took his seat.

Mr. Hardin moved that the Senate adjourn.

Which did not prevail.

Mr. Ellis offered the following resolution :

Resolved, That the Secretary of the Senate, inform the House of Representatives that the Senate have convened, elected John D. Furguson Principal Secretary, Perry E. Robinson Assistant Secretary, William Younce Sergeant at Arms, and Wm. H. Hawthorn Doorkeeper, and are now ready to proceed to Legislative business.

Mr. Hardin moved to lay the resolution on the table ;

And the ayes and noes being demanded by two Senators,

Those who voted in the Affirmative are,

Messrs. Barbour, Berry, Coates, Day, English, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber and Waters,—23.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodenow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rosseau, Simpson, Verbrike, Walpole, Winchell and Zenor—25.

So said resolution was not laid on the table.

Mr. Hardin moved to amend the resolution by striking out all after the word "convened."

Which did not prevail.

Mr. Berry moved to postpone the resolution until to-morrow morning at ten o'clock.

Upon which the ayes noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coates, Day, English, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, and Waters—24.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodenow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rosseau, Simpson, Verbrike, Walpole, Winchell, and Zenor—25.

So said resolution was not postpone.

Mr. Orth moved the previous question.

The question then being "will the Senate second the call for the previous question?"

The ayes and noes were demanded by two Senators.

Those who voted in the Affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodenow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphey, Murray, Orth, Osborn, Robinson, Rosseau, Simpson, Verbrike, Walpole, Winchell, and Zenor—25.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coates, Day, English, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, and Waters—25.

So the call for the previous question was seconded.

The question then being "shall the main question be now put."

The ayes and nays were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodenow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Simpson, Verbrike, Walpole, Winchell and Zenor,—24.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coates, Day, English, Handy, Hardin, Henry, Howell, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Milikin, Morrison, Randall, Read, Rosseau, Stewart, Taber and Waters,—25.

So the Senate refused to order the main question to be put.

Mr. Handy moved that the Senate adjourn.

The ayes and noes being demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coates, Day, English, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, Waters, and Zenor—25.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodenow, Hamrick, Holloway, Haughton, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rosseau, Simpson, Verbrike, Walpole and Winchell—24.

So the Senate adjourned.

TUESDAY MORNING, DECEMBER 7th, 1847.

The Senate assembled.

The Journal of the preceding day was read.

Mr. Walpole moved that the resolution offered by Mr. Ellis be taken from the table and acted upon.
The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rosseau, Simpson, Verbrike, Walpole, Winchell, and Zenor—24.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coates, Day, English, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, and Waters—23.

So the resolution was taken from the table.
Mr. Ellis, moved a call of the Senate.
The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rosseau, Simpson, Verbrike, Walpole, Winchell, and Zenor—24.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, English, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randal, Read, Stewart, Taber, and Waters—24.

There being a tie vote, the President decided there should be no call.
Mr. Miller then moved the Senate adjourn.
The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Barbour, Coats, Day, English, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Morrison, Randal, Reed, Stewart, and Waters—21.

Those who voted in the negative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornet, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rosseau, Simpson, Taber, Verbrike, Walpole, Winchell, and Zenor—28.

Which motion did not prevail.
Mr. Walpole moved the main question be put on the resolution of the Senator from Knox;
The ayes and noes being called for by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Henry, Holloway, Houghton, Hubbard, Montgomery, Murphey, Murray, Orth, Osborn, Robinson, Rosseau, Simpson, Verbrike, Walpole, Winchell, and Zenor—26.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, English, Handy, Hardin, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randal, Read, Steward, Taber, and Waters—23.

Which motion was carried.
Mr. Henry moved to reconsider the vote on putting the main question.
The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Day, English, Handy, Hardin, Henry, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randal, Read, Sewart, Taber, and Waters—23.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard,

Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rosseau, Simpson, Verbrike, Walpole, Winchell, and Zenor—25.

Which motion did not prevail.

The question then recurring on the adoption of the resolution,

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Holloway, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Robinson, Simpson, Verbrike, Walpole, Winchell and Zenor—22.

Those who voted in the negative are,

Messrs. Barbour, Berry, Day, English, Hamrick, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Osborn, Randal, Read, Rosseau, Stewart, Taber and Waters—28.

The resolution was not adopted.

Mr. Hamrick then moved that the Senate proceed to the election of Principal Secretary,

Which motion was carried.

Mr. Stewart moved a call of the Senate;

The ayes and noes were demanded by Messrs. Orth and Murphy.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Day, English, Handy, Hardin, Henry, Howel, Hoffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Morrison, Randal, Read, Stewart, Taber, and Waters—23.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rosseau, Simpson, Verbrike, Walpole, Winchell, and Zenor—27.

Which motion did not prevail.

The Senate then proceeded to the election of Principal Secretary, Messrs. Hamrick and Handy, acting as tellers;

Upon the first ballotting

John D. Ferguson received - - - - - - 24 votes.
A. J. Stevens received - - - - - - - 15 votes.

Jos. W Briggs received - - - - - - - 2 votes.
John R. Jones received - - - - - - - 6 votes.
Blank, - - - - - - - - - - - - 2 votes.

No one having received a majority of all the votes given, the Senate proceeded to a second balloting;

Upon which,

John D. Ferguson received - - - - - - 23 votes.
John R. Jones received - - - - - - - 11 votes.
Jos. W. Briggs received - - - - - - - 2 votes.
A. J. Stevens received - - - - - - - 10 votes.
Blank, - - - - - - - - - - - - 3 votes.

No one having received a majority of all the votes given, the Senate proceeded to a third ballotting;

Upon which,

John D. Ferguson received - - - - - - 22 votes.
A. J. Stevens received - - - - - - - 23 votes.
Jos. W. Briggs received - - - - - - - 2 votes.
Charles H. Test received - - - - - - - 1 vote.
Blank, - - - - - - - - - - - - 1 vote.

No one having received a majority of all the votes given, the Senate proceeded to a fourth ballotting;

Upon which,

John D. Ferguson received - - - - - - 22 votes.
A. J. Stevens received - - - - - - - 21 votes.
Charles H. Test received - - - - - - - 1 vote.
John R. Jones received - - - - - - - 1 vote.
Jos. W. Briggs received - - - - - - - 3 votes.
Blank, - - - - - - - - - - - - 1 vote.

The name of Mr. Ferguson was withdrawn.

No one having received a majority of all the votes given, the Senate then proceeded to a fifth ballotting;

Upon which,

Charles H. Test received - - - - - - 17 votes.
Jos. W. Briggs received - - - - - - - 6 votes.
John R. Jones received - - - - - - - 17 votes.
Geo. B. Tingley received - - - - - - - 2 votes.
A. J. Stevens received - - - - - - - 2 votes.
Blank, - - - - - - - - - - - - 5 votes.

No one having received a majority of all the votes given, the Senate proceeded to a sixth balloting;

Upon which,

Charles H. Test received - - - - - - - 20 votes.
Jos. W. Briggs received - - - - - - - 5 votes.
John R. Jones received - - - - - - - 16 votes.
George B. Tingley received - - - - - - - 5 votes.
A. J. Stevens received - - - - - - - - 1 vote.
Blank - - - - - - - - - - - 2 votes.

No one having received a majority of all the votes given, the Senate proceeded to a seventh balloting;
Upon which,

Charles H. Test received - - - - - - - 25 votes.
Jos. W. Briggs received - - - - - - - 1 vote.
John R. Jones received - - - - - - - 6 votes.
Geo. B. Tingley received - - - - - - - 10 votes.
A. J. Stevens received - - - - - - - - 7 votes.
Blank, - - - - - - - - - -

Charles H. Test having received a majority of all the votes given, was declared duly elected Principal Secretary of the Senate, and was sworn into office by the Hon. Jehu T. Elliott.

On motion,
The Senate proceeded to the election of Assistant Secretary.
Messrs. Orth and Berry, acting as tellers;
Unpon which,

F. Emerson received - - - - - - - - 10 votes.
A. G. Selmen received - - - - - - - - 9 votes.
Perry E. Robinson received - - - - - - - 25 votes.
William H. Hanna received - - - - - - - 1 vote.
Lytle received - - - - - - - - - 1 vote.
Roberts received - - - - - - - - - 1 vote.
A. J. Stevens received - - - - - - - - 1 vote.
Blank, - - - - - - - - - - 1 vote.

Perry E. Robinson having received a majority of all the votes given, was declared duly elected Assistant Secretary of the Senate, and was sworn into office by the Hon. Jehu T. Elliott.

On motion,
The Senate proceeded to the election of Door-keeper.
Messrs. Holloway and Read, acting as tellers;
Upon the first ballotting,

W. H. Hawthorn received - - - - - - - 21 votes.
T. D. Miller received - - - - - - - - 23 votes.
John R. Stone received - - - - - - - - 1 vote.
Blank, - - - - - - - - - - 4 votes.

No one having received a majority of all the votes given, the Senate proceeded to a second balloting;
Upon which,

W. H. Hawthorn received - - - - - - - 23 votes.
L. B. McKinney received - - - - - - - - 10 votes.
T. D. Miller received - - - - - - - - 15 votes.
W. H. Palmer received - - - - - - - - 1 vote.

No one having received a majority of all the votes given, the Senate proceeded to a third ballotting;
Upon which,

W. H. Hawthorn received - - - - - - - 21 votes.
T. D. Miller received - - - - - - - - 16 votes.
L. B. McKinney received - - - - - - - - 9 votes.
W. H. Palmer received - - - - - - - - 3 votes.

The name of Mr. Hawthorn was withdrawn,
No one having received a majority of all the votes given, the Senate proceeded to a fourth ballotting;
Upon which,

T. D. Miller, received - - - - - - - - 12 votes.
L. B. McKinney received - - - - - - - - 21 votes.
W. H. Palmer received - - - - - - - - 1 vote.
J. R. Stone received - - - - - - - - 11 votes.
Blank, - - - - - - - - - - 4 votes.

No one having received a majority of all the votes given, the Senate proceeded to a fifth ballotting;
Upon which,

T. D. Miller received - - - - - - - - 12 votes.
L. B. McKinney received - - - - - - - - 21 votes.
J. R. Stone received - - - - - - - - 10 votes.
Blank, - - - - - - - - - - 5 votes.

The name of Mr. Stone was withdrawn,
On motion,
The Senate adjourned until two o'clock, P. M.

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2 o'clock P. M.

The Senate assembled,
No one having received a majority of all the votes given, the Senate proceeded to a sixth balloting;

Upon which,

T. D. Miller received	14 votes.
L. B. McKinney received	27 votes.
B. Coats received	4 votes.
Blank	2 votes.
Scattering	1 vote.

Leander B. McKinney having received a majority of all the votes given was declared duly elected Door-keeper of the Senate, and was sworn into office by the Hon. James W. Bordon.

Mr. Hamrick offered the following resolution:

Resolved, That the Standing Rules in force for the government of the Senate, during the last session, be adopted for its government during the present session.

On motion by Mr. Walpole,
The resolution, together with Rules of the last session of the Senate, were referred to a select committee, consisting of Messrs. Walpole, Hamrick, and Read.
Mr. Walpole moved that the Senate proceed to the election of a Sergeant-at-arms.

The ayes and noes being called for by two Senators,

Those who voted in the affirmative are,

Messrs. Barbour, Beard Chenowith, Conduit, Conner, Davis, English, Ellis, Handy, Holloway, McCarty, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Simpson, Waters, and Winchell —20

Those who voted in the negative are,

Messrs. Berry, Cassatt, Coats, Cornet, Day, Goodnow, Hamrick, Hardin, Henry, Howel, Houghton, Hubbard, Huffstetter, James, Malott, Marsh, Martin, Miller, Milligan, Millikin, Morrison, Randal, Read, Rosseau, Stewart, Taber, Verbrike, Walpole, and Zenor —29.

Which motion did not prevail.
The following massage was received from the House of Representatives, by Mr. Ward, their Clerk.

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the Clerk inform the Senate that the House have convened, formed a quorum, elected Wm. A. Porter, Speaker, Mathew S. Ward, Principal Clerk, Andrew J. Hay, Assistant Clerk, and Servetus Puffts, Door-keeper, and are now ready to proceed to legislative business.

The President laid before the Senate the following communication, from his Excellency the Governor.

Executive Department,
December 7th, 1847.

To the Senate of Indiana:

Gentlemen:—James M. Sleeth, Esq., is authorised to make Executive communications from the undersigned to your branch of the General Assembly, during the the present session.

JAMES WHITCOMB.

The following resolution was offered by Mr. Handy:

Resolved, That the Secretary of the Senate inform the House of Representatives that the Senate have convened, formed a quorum, elected Charles H. Test Principal Secretary, Perry E. Robinson, Assistant Secretary, and Leander B. McKinney, Door-keeper, and are now ready to proceed to legislative business.
Which was adopted.

The following message was received from his Excellency the Governor by his private Secretary, Mr. Sleeth,

Mr. President:

I am directed by the Governor, to communicate to the Senate the accompanying bill No. 205, which originated in that body and which was passed at the last session of the General Assembly, together with his message in relation to the same. Which,
On motion by Mr. Walpole,
Was laid on the table.

The following message was received from His Excellency the Governor, by his private Secretary, Mr. Sleeth.

Mr. President:

I am directed by the Governor, to communicate to the Senate the accompanying bill, No. 224, which originated in that body and which was passed at the last session of the General Assembly, together with his message in relation to the same.
On motion by Mr. Davis,

It was laid on the table.

The following resolution was offered by Mr. Murphy,

Resolved, That the reporters for papers, be allowed seats within the Senate to report its proceedings;

Which was adopted.

The following resolution was offered by Mr. Berry:

Resolved, That the Door-keeper of the Senate be authorized to furnish each member of the Senate with a copy of the Revised Statutes, a copy of the Journals of the last session of the Senate, a copy of the Laws of the last session of the Legislature, from the State Library, and to return the same to said Library, at the adjournment of the present session of the Legislature.

Which was adopted.

The following resolution was offered by Mr. Holloway:

Resolved, That the Door-keeper of the Senate be authorized to contract with the publishers of the State Journal and of the State Sentinel, for one copy of their respective Tri-Weekly papers, for each member of the Senate, during the present session;

Which was adopted.

The President laid before the Senate the report of the Trustees and Principal of Indiana Asylum for the education of the Deaf and Dumb, with an exhibit of the expenditures, which,

On motion of Mr. Robinson,

Was laid on the table.

On motion,

The Senate adjourned.

WEDNESDAY MORNING, DECEMBER 8, 1847.

The Senate assembled.

The journal of the preceding day was read.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have adopted the following resolution:

Resolved, That a committee of two be appointed on the part of this House, to act with a similar committee of the Senate, to wait on the Rev. Mr. Holliday, and request him to attend in the House of Representatives on this day, at half past ten o'clock, and open the present session of the General Assembly with solemn prayer, and that the clerk inform the Senate of the adoption of this resolution.

Messrs. Hull and Carr were appointed said committee on the part of the House.

On motion by Mr. Miller,

The resolution was concurred in, and Senators Miller and Davis were appointed said committee on the part of the Senate.

The following message was received from the House of Representatives, by their clerk, Mr. Ward:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have adopted the following resolution:

Resolved, That a committee of two be appointed on the part of the House of Representatives, to act with a similar committee on the part of the Senate, to wait upon His Excellency, the Governor, and inform him that the thirty-second General Assembly of the State of Indiana, is now ready to receive any communication that he may be pleased to make, and that the Senate be informed thereof.

Messrs. Wolf and Cookerly were appointed said committee on the part of the House.

Which resolution was concurred in, and Messrs. Walpole and McCarty appointed said committee on the part of the Senate.

Mr. Houghton moved to reconsider the vote on the resolution offered by Mr. Holloway on yesterday, in reference to directing the door-keeper to procure newspapers for the Senators.

Which motion did not prevail.

Mr. Berry offered the following resolution:

Resolved, That the standing rules for the government of the Senate during its last session, be adopted for its government, until modified or amended by the Senate.

Mr. Walpole moved to amend said resolution, by adding the words, "Provided that a majority of the Senate may suspend said rules."

Which amendment was not adopted.

The resolution was then adopted without amendment.

The following report was received from the select committee appointed to wait on the Rev. Mr. Holliday:

MR. PRESIDENT:

The committee appointed to wait upon the Rev. Mr. Holliday, and request him to open the present session of the General Assembly with prayer, have performed that duty, and report that the Rev. Mr. Holliday will attend, as requested, in the Hall of the House of Representatives, to-day at half-past 10 o'clock.

Mr. Read introduced the following bill:

No. 1. A bill to authorize the voters of this State to vote for, or against a Convention for the revision of the Constitution.

Which was read a first time, and ordered to a second reading on to-morrow.

Mr. Davis presented the petition of Mary Russell, praying for a divorce from her husband, William Riley Russell; which,

On motion by Mr. Davis,

Was referred to a select committee.

Messrs. Davis, Henry, Osborn, and Conner were appointed said committee.

Mr. Robinson presented the petition of 122 of the citizens of the counties of Shelby and Decatur, praying to attach a part of Shelby to Decatur county.

Mr. Handy moved its reference to a select committee.

Mr. Robinson moved to amend by inserting that the committee shall consist of five Senators.

Which motion, so amended, was adopted.

Messrs. Handy, Robinson, Barbour, Cassatt, and Stewart were appointed said committee.

The President laid before the Senate the following communication from the Auditor of State:

AUDITOR OF STATE'S OFFICE,
Indianapolis, December 7, 1847.

HON. PARIS C. DUNNING, *President of the Senate,*

SIR: Please to lay before that Branch of the General Assembly over which you preside, the following communication, and oblige,

Very respectfully,

Your obedient servant,

D. MAGUIRE,

Auditor of State.

On motion by Mr. Miller,

It was laid on the table.

The following report was made by Mr. Davis, chairman of the select committee to whom was referred the petition of Mary Russell, of Boone county:

MR. PRESIDENT:

The select committee to whom was referred the petition of Mary Russell, of Boone county, have had the same under consideration, and have directed me to report the following bill, and recommend its passage.

No. 2. An act (a bill) for the relief of Mary Russell, of Boone county.

Which was read the first time, and,

On motion by Mr. Read,

The rules were suspended, and the bill read a second time.

Mr. Robinson moved to indefinitely postpone said bill.

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Cassett, Chenowith, Conner, Cornett, Day, Ellis, Goodenow, Hamrick, Henry, Holloway, Hubbard, Malott, Marsh, Martin, McCarty, Milligan, Montgomery, Morrison, Murphy, Robinson, Rosseau, Stewart, Verbrike, and Zenor—26.

Those who voted in the negative are,

Messrs. Berry, Coats, Conduit, Davis, English, Handy, Hardin, Howell, Houghton, James, Huffstetter, Miller, Millikin, Murray, Osborn, Randall, Read, Simpson, Taber, Walpole, Waters, and Winchell—22.

Which motion was decided in the affirmative.

Mr. Verbrike moved a call of the Senate,

Which motion prevailed.

Mr. Ellis moved to excuse Mr. Orth, on account of indisposition.

Mr. Orth was excused.

Mr. Handy moved to send for the absentees,

Which motion was adopted.

On motion by Mr. Stewart,

The further call of the Senate was suspended.

The following message was received from the House of Representatives, by their clerk, Mr. Ward:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have adopted the following resolution:

Resolved, That the Senate be invited to attend instanter in the Hall of the House of Representatives, to hear the prayer to be offered by the Rev. Mr. Holliday, and that seats be provided for them on the right of the Speaker's chair.

The Senate repaired to the House of Representatives, to attend the service of the Rev. Mr. Holliday.

After which, the Senate returned to their Chamber, when

The following message was received from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have adopted the following resolution:

Resolved, That the joint rules in force for the government of the two Houses of the last session of the General Assembly of the State of Indiana, be adopted for the government of the two Houses during the present session, and that the Senate be requested to concur therein.

Which resolution was concurred in by the Senate.

On motion,

The Senate adjourned until 2 o'clock P. M.

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2 o'clock, P. M.

The Senate assembled.

Mr. Read offered the following resolution:

Resolved, That John R. Jones, late Secretary of this Senate, be allowed the usual sum of thirty dollars, for attending upon this body for the purpose of organizing the same; and that the Treasurer of State be authorized to pay said amount out of any moneys now in the Treasury.

On motion by Mr. Walpole,

The resolution was referred to a select committee.

Messrs. Walpole, Read, and Rosseau were appointed said committee.

Mr. McCarty, from the committee on the part of the Senate appointed to wait on His Excellency, the Governor, made the following report:

MR. PRESIDENT:

The joint committee consisting of two Senators, and two members of the House of Representatives, appointed to wait upon the Governor, and to inform him that the two Houses of the General Assembly are duly organized, and ready to receive any communication he may be pleased to make to them, and to report to their respective Houses at what time he will make such communication, have directed me to report to the Senate, that in the discharge of the duty assigned them, they have been informed by the Governor, that "in consequence of a recent accident, accompanied by severe bodily injury, he regrets to say, that he will be unable to communicate his annual message to the General Assembly at the usual time. From the rapid progress of his recovery, however, he expects to be able to communicate it at an early day, of which the Honorable General Assembly will be duly advised."

Mr. Miller moved the Senate adjourn,

Which was decided in the negative.

Mr. Barbour asked leave of absence of the Senate for two days, for Mr. L. B. McKinney, Door-Keeper,

Which was granted.

On motion,

The Senate adjourned.

THURSDAY MORNING, DECEMBER 9, 1847.

The Senate assembled.

The journal of the preceding day was read.

The President laid before the Senate the third annual report of the Indiana Insane Hospital.

On motion by Mr. Montgomery,

The report was laid upon the table, and five hundred copies ordered to be printed.

The President laid before the Senate a communication from Elijah Coffin, Cashier of the Branch, at Richmond, of the State Bank of Indiana;

Which report,

On motion by Mr. Holloway,

Was laid on the table.

To the Senate of the State of Indiana:

In accordance with the requisition in the 65th section of the Charter of the Bank, I present you herewith, by direction and on behalf of the Board of Directors of the Branch at Richmond, of the State Bank of Indiana, a statement of the condition of this Branch, on Seventh day, at 2 o'clock in the afternoon, Eleventh month 20th, 1847, together with the names of the Officers, and the compensation to each..

A Banking House being owned by the Bank, no rent is paid.

Respectfully submitted,

ELIJAH COFFIN, *Cashier.*

BRANCH BANK,
Richmond, 11th Month 20th, 1847.

Officers, &c.

A. C. BLANCHARD, President, Salary $500 the year.
ELIJAH COFFIN, Cashier, Salary $1,000 the year.
CHAS. F. COFFIN, Teller and Clerk, Salary $700 the year.

Mr. Marsh presented a petition for the "relief of Margaret Wade," signed by a number of the citizens of Lagrange county, Indiana;

Which,

On motion,

Was laid on the table.

The following bill was offered by Mr. Holloway,

No. 3. A bill to incorporate the Richmond University,

Was read the first time, and ordered to a second reading on to-morrow.

Mr. Holloway presented the following bill,

No. 4. A bill to incorporate the Franklin Institute of the Richmond University;

Which was read a first time, and ordered to a second reading.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill thereof:

No. 3. An act for the collection of Revenue in the county of Lake, for the year 1847;

In which the concurrence of the Senate is respectfully requested.

Which bill was read a first time, the rules being suspended, was read a second and third times, and passed;

And the Secretary of the Senate ordered to inform the House thereof.

The following bill was offered by Mr. Millikin,

No. 5. "An act to change the time of holding Probate Courts in Dearborn county," which was read the first time, and,

On motion,

The rules were suspended, and the bill read a second and third times and passed;

And the Secretary instructed to report to the House of Representatives, the passage of said bill.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have adopted the following resolution:

Resolved, That a committee of two be appointed on the part of the House, to act with a similar committee on the part of the Senate, to wait upon the State Agent, at his room in this city, to examine and count the bonds of the State, which have been surrendered under an act, approved January 19th, 1846, and an act supplemental thereto, approved January 27, 1847, and now in his possession, and that the Senate be requested to reciprocate this resolution.

Messrs. Dunham and Meredith were appointed said committee, on the part of the House.

On motion by Mr. Ellis,

The joint resolution was laid upon the table.

Mr. Ellis moved to take from the table the joint resolution of the House;

Which motion prevailed; and,

The resolution was concurred in.

Mr. Orth offered the following resolution:

Resolved, That when the Senate adjourn, it will adjourn to meet to-morrow morning at 9 o'clock;

Which was adopted.

On motion,

The Senate adjourned.

FRIDAY MORNING, DECEMBER 10, 4847.

The Senate assembled.

The journal of the preceding day was read.

Mr. Hamrick offered the following resolution:

Resolved, That the Senate will, the House of Representatives concurring therein, proceed to the election of a "Trustee of the Wabash and Erie Canal," on to-morrow, at half-past two o'clock, P. M.

Mr. Handy moved to lay the resolution on the table,
Which motion prevailed.

The committee to whom was referred the claim of John R. Jones, late Secretary of the Senate, beg leave to make the following report:

MR. PRESIDENT:

The select committee, to whom was referred a resolution of the Senate, directing the Treasurer of State to pay John R. Jones, late Secretary of the Senate, the sum of thirty dollars, for services rendered on the first day of the session of the Senate, in the organization of the same. Your committee find that the law provides, that Secretaries of the Senate shall be allowed three dollars and fifty cents per day, for services rendered as such officers. It has, however, been customary to make allowances of from twenty to thirty dollars for like services, but not in the form provided by the resolution; the usual mode has been to make the allowance in the specific appropriation bill; it cannot be made, except by the concurrence of the House of Representatives. The 21st section of the 3d article of the Constitution of the State, provides that *no* money shall be drawn from the Treasury, but in consequence of appropriation made by law.

Your committee, therefore, recommend that, if custom has sanctioned a wrong, and gives a right to John R. Jones, to a claim upon the State for one day's services, the sum of thirty dollars, the same shall be provided for in the specific appropriation bill, when the same comes before the Senate for its action. Your committee, however, must protest against said allowance of thirty dollars, and recommend the adoption of the following resolution:

Resolved, That the President of the Senate certify to the Treasurer of State, that John R. Jones served one day as principal Secretary of the Senate, and that the same be audited and paid out of any moneys not otherwise appropriated.

Which, on motion,
Was laid upon the table.

Mr. Osborn offered the following bill:

No. 6. An act to authorize Hiram S. Bradley, of Laporte county, to file his bill in chancery.

Which was read a first time.
The rules being suspended, the bill was read a second and third times and passed, and ordered that the Secretary inform the House thereof.

Mr. Marsh offered the following bill:

No. 7. An act to amend an act entitled an act to incorporate the Lagrange Phalanx, approved January 13, 1845.

Which was read the first time, and ordered to a second reading.

Mr. Cassatt offered the following joint resolution:

No. 9. A joint resolution for the reduction of the price of public lands in the Miami Reserve.

Which was read the first time, and the rules being suspended, was read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Goodenow offered the following bill:

No. 8. A bill to amend the charter of the Madison and Napoleon Turnpike Company.

Which was read the first time, and ordered to a second reading.

Mr. Rosseau offered the following joint resolution:

No. 10. For the relief of John R. Jones and John D. Ferguson.

Which was read the first time, and the rules being suspended, the joint resolution was read a second time.
Mr. Montgomery offered the following amendment:

Resolved, That John R. Jones be, and is hereby allowed three dollars and fifty cents, for his services in organizing the Senate at the commencement of the present session, and the same amount for every twenty-five miles travel in coming to and returning from the capital, to his place of residence, that is now allowed by law, to the members of the present General Assembly.

Which, on motion,
Was laid upon the table.

Mr. Hamrick moved to amend by striking out 'thirty,' and inserting twenty dollars in lieu thereof.

Which amendment was not adopted.

The rules being suspended, the resolution was read a third time.

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Day, Ellis, Goodenow, Handy, Henry, Hardin, Holloway, Howell, Houghton, Hubbard, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Montgomery, Morrison, Murphy, Orth, Osborn, Randall, Read, Robinson, Rosseau, Simpson, Stewart, Taber, Verbrike, Winchell, and Zenor—41.

Those who voted in the negative are,

Messrs. Hamrick, Murray, Walpole, and Waters—4.

The joint resolution was adopted.

Ordered, That the Secretary inform the House thereof.

Mr. Ellis asked leave for the joint committee appointed on the part of the Senate, to count the State Bonds, to attend to that duty during the sitting of the Senate.

Which was granted.

Mr. Read presented a petition for the relief of John Kearney; which,

On motion by Mr. Read,
Was referred to a select committee.

Messrs. Read, Davis, and Zenor were appointed said committee.

Mr. Milligan offered a petition for the sale of school section No. 16, in Jay county.

Which was referred to a select committee consisting of
Messrs. Milligan, Martin, and Randall.

Mr. Cassatt presented the petition of Zachariah Collins and others; which,

On motion by Mr. Cassatt,
Was referred to a select committee.

Messrs. Cassatt, Taber, and Waters were appointed said committee.

Mr. Waters presented the petition of William Hanse and others, for the sale of a certain lot in the town of Delphi; which,

On motion by Mr. Waters,
Was referred to a select committee.

Messrs. Waters, Houghton, and Cassatt were appointed said committee.

Mr. Murphy presented a petition relative to the sale of ardent spirits in Henry township, in Henry county; which,

On motion by Mr. Murphy,
Was referred to a select committee.

Messrs. Murphy, Holloway, and Cornett were appointed said committee.

The President announced the following as the order of business to be observed by the Senate, during the present session, unless changed by the Senate:

I. Reading of the Journal.

II. Petitions, Memorials, and Remonstrances.

III. Reports from Standing Committees, as follows, to-wit:

1. On Elections.
2. On Finance.
3. On the Judiciary.
4. On Federal Relations.
5. On Education.
6. On Military Affairs.
7. On Roads.
8. On Canals and Internal Improvements.
9. On the Affairs of the Town of Indianapolis.
10. On Claims.
11. On the State Prison.
12. On the State Library.
13. On Public Buildings.
14. On the State Bank.
15. On the Canal Fund.
16. On Agriculture.
17. On Corporations.
18. On Unfinished Business.
19. On the Benevolent Institutions of the State.

IV. Reports from Select Committees.

V. Resolutions of the Senate.

VI. Joint Resolutions.

VII. Bills.

VIII. Orders of the Day.

The committees on enrolled and engrossed bills, and joint committees, are not restricted by the preceeding rules, but may report at any time.

The President laid before the Senate, his appointment of the following standing committees of the Senate, during the present session:

ON ELECTIONS.

Messrs. Holloway, Hamrick, Coates, Day, Simpson, Waters, Conduit, James, and Green.

ON FINANCE.

Messrs. Morrison, Russeau, English, Conner, Goodenow, James, Murray, Martin, and Malott.

ON THE JUDICIARY.

Messrs. Orth, Henry, Osborn, Barbour, Davis, Ellis, Hubbard, McCarty, Murphy, Randall, Robinson, Russeau, Stewart, Walpole, and Winchell.

ON FEDERAL RELATIONS.

Messrs. Read, Barbour, Montgomery, Cornett, Milligan, Robinson, Morrison, Miller, and Marsh.

ON EDUCATION.

Messrs. Henry, Morrison, Osborn, Cornett, Hubbard, Marsh, Hardin, Beard, Hamrick, Montgomery, Holloway, Murphy, Orth, Randall, Berry, Walpole, and Stewart.

ON MILITARY AFFAIRS.

Messrs. McCarty, Russeau, Berry, Miller, Howel, English, Murray, Cassatt, and Coates.

ON CANALS AND INTERNAL IMPROVEMENTS.

Messrs. Walpole, Miller, Howel, Morrison, Davis, Millikin, McCarty, Holloway, Murphy, Barbour, Conduit, Houghton, Chenowith, Henry, Orth, Montgomery, Osborn, Martin, Randall and Murray.

ON ROADS.

Messrs. Berry, Beard, Chenowith, Verbrike, Zenor, Taber, Waters, Malott, Green, Huffstetter, and Goodenow.

ON THE AFFAIRS OF THE TOWN OF INDIANAPOLIS.

Messrs. Hardin, Handy, Zenor, Stewart, Verbrike, Simpson, and Beard.

ON CLAIMS.

Messrs. Robinson, Miller, English, Murray, Malott, Winchell, and Huffstetter.

ON THE STATE PRISON.

Messrs. Howel, Read, Zenor, Taber, Milligan, Goodenow, Verbrike, and Chenowith.

ON UNFINISHED BUSINESS.

Messrs. Goodenow, Millikin, Milligan, Winchell, and Simpson.

ON THE STATE LIBRARY.

Messrs. Montgomery, Conner, Cornett, Robinson and Simpson.

ON PUBLIC BUILDINGS.

Messrs. English, Milligan, Murphy, Taber, Conner, Day, and Conduit.

ON THE STATE BANK.

Messrs. Davis, Murphy, James, Malott, Randall, Beard, Stewart, Ellis, Houghton, Day, Cassatt, Martin, Marsh, Barbour, Taber, Conner, Handy, and Hamrick.

ON AGRICULTURE.

Messrs. Miller, Handy, Holloway, Hardin, Cassatt, Coates, Houghton, Howel, Huffstetter, Millikin, Read, Waters, Zenor, Beard, Verbrike, Conner and Conduit.

ON CORPORATIONS.

Messrs. Millikin, McCarty, Walpole, Henry, Orth, Osborn, Marsh, Martin, Handy, Hamrick, Hubbard, Houghton and Green.

ON THE BENEVOLENT INSTITUTIONS OF THE STATE.

Messrs. Cornett, Henry, Davis, Ellis, Berry, Montgomery, Marsh, Morrison, Stewart, and Houghton.

ON ENROLLED BILLS.

Messrs. Hardin, Handy, Conduit, Hamrick, James, Cassatt, Berry, and Winchell.

ON ENGROSSED BILLS.

Messrs. Winchell, and Waters.

JOINT COMMITTEES.

ON PUBLIC BUILDINGS.

Messrs. Marsh, Huffstetter, Coates, Cassatt, Chenowith, Day, and Green.

ON THE CANAL FUND.

Messrs. Murphy, Hardin, and Read.

ON THE STATE LIBRARY.

Messrs. Ellis, Hubbard and James.

On motion by Mr. Berry,
One hundred copies of each were ordered to be printed.
On motion by Mr. Millikin,
The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill thereof:

No. 2. An act to authorize the Treasurer, Auditor, and Governor of State, to borrow money to pay the interest on the funded debt due January 1st, 1848.

In which the concurrence of the Senate is respectfully requested.

Which was read the first time, and ordered to a second reading.

The following message was received from the House of Representatives, by Mr, Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the Speaker of the House has signed the following enrolled bill of the House.

No. 3. An act for the collection of revenue in the county of Lake, for the year 1847.

Which I am directed to bring to the Senate for the signature of the President.

The President of the Senate signed the above bill.

Mr. Morrison offered the following resolution:

Resolved, That the committee on elections be instructed to inquire into the expediency of repealing, and modifying the law confining voters to their own townships, and that said committee report by bill, or otherwise.

Which was not adopted.

Mr. Stewart presented the following bill:

No. 11. A bill to regulate the fees and emoluments of county officers.

Which was read the first time, and passed to a second reading.

On motion,

The Senate adjourned until two o'clock P. M.

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2 o'clock, P. M.

The Senate assembled.

The President laid before the Senate the reports of the Branches of the State Bank of Indiana at Madison, Bedford, Terre Haute, Michigan City, South Bend, Evansville, New Albany, Lafayette, Vincennes, and Richmond;

Which were referred to the committee on the State Bank.

Mr. Randall introduced the following bill:

No. 12. An act authorizing the Secretary of State to send to the county of Allen, an additional number of copies of the laws of the State;

Which was read the first time.

The rules were suspended, the bill read a second and third time, and passed.

Ordered, That the Secretary inform the House thereof.

ORRERS OF THE DAY.

No. 2. A bill to authorize the voters of this State to vote for or against a Convention for the revision of the Constitution, was taken up, and read a second time, and referred to a select committee of one from each Congressional District.

The select committee on the Convention bill are,

Mr. Read, Chairman,	2d	District.
" Miller,	1st	do
" Cornett,	3d	do
" Holloway,	4th	do
" Walpole,	5th	do
" Berry,	6th	do
" Henry,	7th	do
" Montgomery,	8th	do
" Day,	9th	do
" Randall,	10th	do

No. 3. A bill to incorporate the Richmond University, was taken up and read a second time, and referred to the committee on corporations.

No. 4. A bill to incorporate the Franklin Institute of the Richmond University;

Which was read a second time, and referred to the committee on corporations.

On motion by Mr. Marsh,

The petition of Margaret Wade and others, of Lagrange county, was taken from the table, and referred to the judiciary committee.

The President laid before the Senate, the annual report of the Indiana Institute for the education of the Blind:

INDIANAPOLIS, *December* 10, 1847.

HON. PARIS C. DUNNING, *President of the Senate*,

SIR: Please herewith receive the annual report of the trustees of the Indiana Institute for the education of the Blind, to the General Assembly.

Very respectfully,

JAMES M. RAY,
Secretary.

Mr. Walpole moved to lay the report upon the table, and order one thousand copies to be printed, five hundred of which were for the benefit of the institution.

The ayes noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Conner, Cornett, Day, Davis, Goodenow, Hamrick, Henry, Holloway, Houghton, Hubbard, Huffstetter, James, Malott, Marsh, Martin, Miller, Milligan, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Randall, Read, Robinson, Rosseau, Simpson, Stewart, Taber, Verbrike, Walpole, Waters, and Winchell—40.

Those who voted in the negative are,

Messrs. Handy, Hardin, Millikin, and Zenor—4.

Which was decided in the affirmative.

On motion by Mr. Stewart,

The report of the Auditor of State, relative to the Madison and Indianapolis Railroad, was taken from the table, and referred to the committee on canals and internal improvements.

On motion,

The report of the Board of Trustees of the Indiana Asylum for the education of the Deaf and Dumb, was taken from the table, and referred to the committee on benevolent institutions of the State.

The following message was received from the House of Representatives, by their clerk, Mr. Ward:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed joint resolution of the Senate:

No. 9. A joint resolution for the reduction of the price of public lands in the Miami Reserve;

With one amendment.

In which the concurrence of the Senate is respectfully requested.

And that the House have also passed the following engrossed joint resolution of the Senate:

No. 11. A joint resolution for the relief of John R. Jones and John D. Furgason;

Without amendment.

On motion by Mr. Marsh,

Bill No. 7, entitled an act to amend an act to incorporate the Lagrange Phalanx, approved January 13, 1845, was taken from the table.

The rules were suspended, and the bill read a second time, and referred to the judiciary committee.

On motion,

The Senate adjourned.

SATURDAY MORNING, DECEMBER 11, 1847.

The Senate assembled.

The journal of the preceding day was read.

The President laid before the Senate the reports of the Branches of the State Bank at Indianapolis and Lawrenceburg,

Which were referred to the committee on the State Bank.

Mr. Walpole presented a petition from sundry German citizens of Hancock county, for the purpose of establishing Public German schools,

Which was referred to the committee on education.

On motion,

Messrs. Rousseau and Barbour were excused from serving on the committee on enrolled bills.

Mr. Rousseau offered the following resolution:

Resolved, That the Secretary of State be requested to return the joint resolution of the Senate, No. 11, for the relief of John R. Jones and John D. Ferguson.

Which, on motion,

Was laid on the table.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following resolution:

Resolved, That the Senate be requested to return the joint resolution for the relief of John R. Jones and John D. Ferguson, No. 11, for further consideration,

In which the concurrence of the Senate is respectfully requested.

Which, on motion,

Was laid on the table.

Mr. Read presented a petition for the relief of S. E. Waller and George Green; which,

On motion by Mr. Read,

Was referred to the committee on claims.

Mr. Berry presented the petition of G. H. Johnson, and others, of Monroe county; which,

On motion by Mr. Berry,

Was referred to a select committee.

Messrs. Berry, Conduit and Malott were appointed said committee.

Mr. Murphy presented the petition of R. M. Cooper and others, to vacate certain streets and alleys in Raysville, Henry county, Indiana; which,

On motion by Mr. Murphy,

Was referred to a select committee.

Messrs. Murphy, Hubbard and Walpole, were appointed said committee.

Mr. Stewart presented the petition of Brother Josephs,

Which was referred to committee on agriculture.

Mr. Orth presented a petition from the stockholders of the "Lafayette Bridge Company;" which,

On motion by Mr. Orth,

Was referred to a select committee.

Messrs. Orth, Beard and Zenor were appointed said committee.

Mr. Rousseau moved to suspend the rules, and take up the message of the House;

Which motion did not prevail.

Mr. Miller presented the petition of Elizabeth Jones, praying for a divorce; which,

On motion by Mr. Miller,

Was referred to the judiciary committee.

Messrs. Stewart, Conner and Houghton asked to be excused from serving on the committee on enrolled bills,

And were excused.

Mr. Millikin moved to reconsider the vote excusing Messrs. Barbour and Rousseau from serving on the committee on enrolled bills.

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Chenowith, Cornett, Davis, Goodenow, Handy, Hardin, Huffstetter, Millikin, Morrison, Murphy, Orth, Read, Robinson, Verbrike, Walpole—16.

Those who voted in the negative are,

Messrs. Berry, Cassatt, Coats, Conduit, Conner, Day, Hamrick, Henry, Holloway, Houghton, Hubbard, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Montgomery, Murray, Osborn, Randall, Simpson, Waters, Winchell, Zenor—26.

Which was decided in the negative.

Messrs. Murphy and Hubbard were then appointed and excused from serving on committee on enrolled bills.

Mr. Day presented the petition of Robert Kennedy, and others, of St. Joseph county; which,

On motion of Mr. Day,

Was referred to a select committee.

Messrs. Day, Martin and Milligan were appointed said committee.

Mr. Milligan offered the following resolution:

Resolved, That the judiciary committee be instructed to inquire into the propriety of so altering the twenty second section of Chapter forty seven of the revised statute of 1843, so as to authorize justices of the peace, (on application) to issue a capias ad respondendum, in cases where debtors are about to remove from the county where they reside, with leave to report by bill or otherwise.

Which was adopted.

Mr. Goodenow offered the following resolution:

Resolved, That the committee on finance be instructed to enquire into the expediency of so amending the revenue laws, as to require the county treasurers to pay into the State treasury, on the first of December annually, so much of the State revenue, as may at that time be collected.

Which was adopted.

Mr. Huffstetter offered the following resolution:

Resolved, That the Committee on federal relations be instructed to inquire into the expediency of instructing our Senators and requesting our Representatives in Congress, to use their best efforts to secure the passage of a law authorizing those who have served, and may hereafter serve in the existing war with the Republic of Mexico, to locate the lands to which they are, or may be entitled, in less quantities than one hundred and sixty acres.

Which was adopted.

Mr. Millikin offered the following resolution:

Resolved, That the judiciary committee be instructed to inquire into the expediency of making it the duty of the Secretary of State, or some other officer located at Indianapolis, to act as Secretary of the Senate while organizing, and fix his compensation for the same.

Mr. Berry moved to amend, by adding,

"And the House of Representatives."

And the same was so amended.

Which was adopted as amended.

Mr. Verbrike offered the following resolution:

Resolved, That the committee on finance be instructed to enquire whether the best interests of the State would not be greatly promoted by the prompt payment of our January instalment, due on bonds already surrendered. And whether it would not be policy in this Legislature to effect a temporary loan for the above payment, and thereby establish confidence in those who yet hold our bonds.

And whether if we now fail to meet the above instalment it would not have a direct tendency with our creditors, to blast all confidence in our integrity, and thereby prove an estopple to the advancement of our outstanding bonds. And as the canal with its appurtenances, has been set apart for the payment of one half of the State debt, and from all probability never again to be redeemed by the State. And whether any action had by this Legislature calculated to impair the confidence of our our creditors, and thereby cause them to retain the residue of our bonds, would not be a clear loss of five hundred dollars on each bond to the State, and the holders thereof,

hoping that a subsequent legislature will repeal a portion of the state debt bill, they naturally will hold on to their bonds, and in 1856 and '57, the State will be saddled with a debt of from five to six millions of dollars. All of which may be obviated by the proper precaution at the present time, with leave to report by bill or otherwise.

Which was adopted.

Mr. Morrison offered the following resolution:

Resolved, That the committee on the judiciary be instructed to inquire into the constitutionality of the laws requiring and confining voters to vote in the townships in which they reside, with leave to report by bill or otherwise.

Which was adopted.

JOINT RESOLUTIONS.

By Mr. McCarty,

No. 13. "A joint resolution relative to bounty land warrants,"

Which was read the first time, and ordered to a second reading.

BILLS INTRODUCED.

By Mr. Robinson,

Bill No. 14. "A bill to authorize the qualified voters of Decatur county to vote in any township in said county at certain elections."

Which was read the first time, and the rules being suspended, the bill was read a second time.

Mr. Houghton moved to amend by adding the counties of Martin and Davis.

Mr. Rousseau moved to amend by adding the county of Greene.

Mr. Hamrick moved to add the county of Putnam.

Mr. Hardin moved to add the county of Johnson.

Mr. Walpole moved to add the counties of Hancock and Madison,

Which amendments were adopted by consent.

Mr. Zenor moved to refer the bill together with the amendments to the committee on elections; pending which,

Mr. Henry moved to indefinitely postpone the bill together with the amendments.

Mr. Hardin moved to lay the motion for the indefinite postponement of the bill on the table.

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Barbour, Cassatt, Conduit, Cornett, Day, Hamrick, Hardin, Houghton, James, Malott, Milligan, Morrison, Robinson, Rousseau, Waters, Winchell and Zenor—17.

Those who voted in the negative are,

Messrs. Beard, Berry, Chenowith, Coates, Conner, Davis, Goodenow, Handy, Henry, Holloway, Hubbard, Huffstetter, Marsh, Martin, McCarty, Miller, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Randall, Read, Simpson, Stewart, Taber and Verbrike—28.

So the motion to indefinitely postpone the bill was not laid on the table.

The question was then taken on the motion to indefinitely postpone the bill.

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Berry, Chenowith, Coates, Conner, Day, Davis, Goodenow, Handy, Henry, Holloway, Hubbard, Marsh, Martin, McCarty, Miller, Millikin, Montgomery, Murphy, Orth, Randall, Read, Simpson, Stewart, Taber, Verbrike and Waters—27.

Those who voted in the negative are,

Messrs. Barbour, Cassatt, Conduit, Cornett, Hamrick, Hardin, Houghton, Huffstetter, James, Malott, Milligan, Morrison, Murray, Osborn, Robinson, Rousseau, Winchell and Zenor—18.

The bill was so postponed.

By Mr. Milligan,

Bill No. 15. A bill prescribing the mode of selecting petit jurors in the county of Jay;

Was read the first time; and,

On motion by Mr. Milligan,

The rules were suspended, and the bill read a second and third times and passed.

Ordered, The Secretary inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have concurred in the resolution of the Senate, on the subject of going into the election (with closed doors) of two Bank Directors, on the part of the State, to fill the vacancy occasioned by the expiration of the term of service of John F. Carr, and the vacancy occasioned by the resignation of Jacob Walker, on Tuesday next, the 14th inst., at 10 o'clock, A. M.

Mr. Taber introduced the following bill:

No .16. A bill to incorporate the Logan Manufacturing Company,

Which was read the first time and ordered to a second reading.

Mr. Conner introduced the following bill:

No. 17. A bill to amend an act, entitled "an act to incorporate the Peru and Indianapolis Rail Road company,"

Which was read the first time;

The rules being suspended, the bill was read a second time, and referred to the committee on corporations.

Mr. Miller presented the following bill:

No. 18. A Bill to amend section sixty-five, article six, of chapter fifty four of the revised laws of 1843, and for other purposes:

Which was read the first time, and ordered to a second reading.

Mr. Davis introduced the following bill:

No. 19. A bill to amend the charter of the city of New Albany,

Which was read the first time; and,

On motion by Mr. Davis,

The rules were suspended and the bill read a second time; the rules being further suspended, the bill was read a third time, and passed.

The Secretary ordered to inform the House thereof.

Mr. Stewart introduced the following bill:

No. 20. A bill providing for the republication of certain laws therein named;

Which was read the first time; and,

On motion by Mr. Stewart,

The rules were suspended, and the bill read a second time, and referred to the judiciary committee.

Mr. Robinson introduced the following bill:

No. 21. A bill explanatory of an act therein named,

Which was read the first time, and ordered to a second reading.

The President laid before the Senate, the report of the State Bank of Indiana:

STATE BANK,
Indianapolis, Dec. 11, 1847.

Hon. PARIS C. DUNNING, President of the Senate:

SIR:—Please lay before the Senate the accompanying report of the State Bank and Branches.

Respectfully,
J. MORRISON, *President.*

On motion by Mr. Davis,

The report was laid on the table, and 500 copies ordered to be printed.

The President laid before the Senate, the report of the Sinking Fund:

OFFICE OF SINKING FUND,
Indianapolis, Dec. 11, 1847.

Hon. PARIS C. DUNNING, President of the Senate:

SIR:—Herewith please receive the annual report of the Commissioners of the Sinking Fund, to be laid before the Senate.

Respectfully,
J. MORRISON, *President.*

On motion by Mr. Davis,

The report was laid on the table, and 200 copies ordered to be printed.

The President announced the following committee on enrolled bills:

Messrs. Hardin, Conduit, Hamrick, James, Handy, Cassatt, Berry and Winchell.

On motion,

Mr. Handy was excused from serving on said committee.

Mr. Read offered the following resolution:

Resolved, That when the Senate adjourn, it will stand adjourned until Monday morning, 9 o'clock.

Which was adopted.

The Senate adjourned.

MONDAY MORNING, DECEMBER 13th, 1847.

Senate assembled.

The Journal of Saturday was read.

Mr. Taber presented the petition of John Mix and others, of Cass county; which,

On motion of Mr. Taber,

Was referred to a select committee.

Messrs. Taber, Orth, and Beard, were appointed said committee.

Mr. Ellis presented the memorial of Abraham Stipp;

Which was referred to committee on claims.

Mr. Chenowith presented the petition of Perin Kent and others;

Which was referred to committee on roads.

Mr. Randal presented the petition of sundry German citizens of Allen county, relative to the Common School Fund;

Which was referred to the committee on education.

Mr. Read presented the petition for the relief of J. E. Moore;

Which was referred to the committee on claims.

The following report was received from the select committee, to whom was referred the petition of Ashael Woodward and others:

MR. PRESIDENT:

The select committee to which was referred the petition of Ashael Woodward and others, praying the passage of an act prohibiting entirely, the sale of wines and spirituous liquors, in Henry township, Henry county, Indiana, have had the same under consideration, and have directed me to report the following bill:

No. 22. A bill to prohibit the sale of spirituous liquors and wines in Henry township, Henry county, Indiana.

Mr. Houghton offered the following resolution:

Resolved, That the Senate will, the House of Representatives concurring therein, proceed with closed doors, on to-morrow, Tuesday the 14th inst., at 10 o'clock A. M., to the election of two Bank Directors, on the part of the State. One to fill the vacancy occasioned by the expiration of the term of service of John F. Carr, the other to fill the vacancy occasioned by the resignation of Jacob Walker.

Mr. Orth moved to amend by striking out Tuesday and insert Monday next;

Which was not adopted.

The resolution was adopted without amendment.

Mr. Hardin offered the following resolution:

Resolved, That the committee on the judiciary, be instructed to enquire into the propriety of giving County Surveyors power to swear any person as to the notice required by the 16th section, 10th chapter, Revised Statutes; and likewise, the propriety of pointing out more definitely, the manner in which an original corner, when all evidence of its location is lost, shall be re-located; and whether the interests of the country would not be subserved by authorising such Surveyors to swear and examine witnesses as to the original location of such corner. And likewise, whether a compilation and publication of the laws of the United States are not necessary to enable Surveyors to discharge the duties required by a clause of the 23d section of said act.

Which was adopted.

Mr. Stewart offered the following resolution:

Resolved, That Mr. Bright, Agent of the State, be requested to inform the Senate immediately, of the amount of coupons, bonds,

or other compensation, paid to Charles Butler by the bond holders, for services rendered by said Butler, in procuring the passage of the State Debt Bill of 1846, and the amendment thereto of 1847.

Which resolution was adopted.

BILLS INTRODUCED.

Mr. Walpole introduced the following bill:

No. 23. A bill prescribing the manner of assessing and paying taxes, due upon individual stock in the Madison and Indianapolis Rail Road company;

Which was read the first time; and

On motion by Mr. Walpole,

The rules were suspended and the bill read a second time and referred to the committee on finance.

Mr. Montgomery introduced the following bill:

No. 24. A bill to incorporate the Monticello Hydraulic Company;

Which was read the first time;

On motion by Mr. Montgomery,

The rules were suspended and the bill read a second time and referred to the committee on corporations.

Mr. Howel introduced the following bill:

No. 25. A bill to authorise the Governor to appoint a commissioner, some citizen of Indiana, in the volunteer service in Mexico, to take acknowledgments, and for other purposes;

Which was read the first time;

The rules being suspended, the bill was read a second time and referred to the judiciary committee.

Mr. Berry introduced the following bill:

No. 26. A bill to amend an "act entitled an act, for the benefit of the volunteers for the Mexican war and the relief of County Treasurers;"

Which was read the first time; and,

On motion by Mr. Berry,

The rules were suspended and the bill read a second and third times, and passed.

The Secretary was ordered to inform the House thereof.

Mr. Davis introduced the following bill:

No. 27. A bill for the benefit of the "New Albany, and Salem Rail Road Company;"

Which was read the first time.

On motion by Mr. Davis,

The rules were suspended and the bill read a second time, and referred to the committee on canals and internal improvements.

Mr. Robinson introduced the following bill:

No. 28. A bill to amend "an act, to authorise the people of the several townships of the several counties, to prohibit the retailing of spirituous liquors;"

Was read the first time and passed to a second reading.

Mr. Miller introduced the following bill:

No. 29. A bill to amend the laws regulating appeals from other tribunals and officers to the circuit courts;

Was read the first time and ordered to a second reading.

Mr. Orth offered the following bill:

No. 30. A bill relative to the execution of decrees in Chancery;

Which was read the first time;

The rules being suspended, the bill was read a second time, and referred to the judiciary committee.

Mr. McCarty introduced the following bill:

No. 31. A bill for the relief of the sufferers by high waters, on the White Water river;

Which was read the first time;

On motion by Mr. McCarty,

The rules were suspended, the bill read a second time and referred to the committee on finance, with the following instructions:

On motion by Mr. Orth,

The Wabash river was inserted after the words White Water river.

Mr. Miller moved to insert White river.

Mr. Handy moved to insert Blue river;

Which was adopted, as instructions.

Mr. Conner moved that said committee be instructed to make said provisions general;

Adopted.

Mr. Morrison moved to instruct, that the provisions of the bill extend to, and embrace all persons who have sustained loss from fire as well as water;

Adopted.

Mr. Randal introduced the following bill:

No. 22. An act, to change the time of holding Probate Courts in the county of Allen, and to repeal certain acts therein named;

Which was read the first time;

On motion by Mr. Randal,

The rules were suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Miller moved to suspend the previous order of business, and take up the message from the House;

Which motion did not prevail.

Mr. Orth asked leave to make the following report, from a seselect committee:

Which was granted.

Mr. President:

The select committee, to whom was referred a petition from sundry stockholders of the Lafayette Bridge Company, have had the same under consideration and instructed me to report to the

Senate the following bill, and respectfully recommend its passage:

Bill No. 33. A bill to amend an act, entitled, "An act to incorporate the Lafayette Bridge Company," approved Jan., 1845.

Which was read the first time;

The rules being suspended, the bill was read a second and third times and passed.

The Secretary ordered to inform the House thereof.

Mr. Murphy asked leave to make the following report from a select committee:

Which was granted.

Mr. President:

The select committee, to which was referred the petition of R. M. Cooper and others, praying the vacation of certain streets and alleys in the town of Raysville, Henry county, have had the same under consideration and have directed me to report the following bill:

No. 34. A bill to vacate certain streets and alleys in the town of Raysville, Henry county.

Which was read the first time;

Mr. Orth moved to lay the bill on the table;

Which motion did not prevail.

The rules being suspended, the bill was read a second and third times, and passed.

The Secretary ordered to inform the House thereof.

Mr. Cassatt asked leave to make the following report:

Which was granted.

Mr. President:

The seleet committee, to which was referred the petition of Zachariah Collins and others, praying for the refunding of certain moneys by the School Commissioners of Wabash county, have had that subject under consideration and now report:

First, That said Collins, prior to the appraisement and sale of section 16, T. 27, R. 7, entered upon said land and made valuable improvements thereon, and,

Secondly, That the township trustees, in appraising said land, took into consideration the value of his improvement, and upon Collins afterwards becoming the purchaser of said land, made no reduction to him for the improvements made by himself, nor any provision by which he could recover the value thereof. And believing as we do, that "the laborer is worthy of his hire," the

committee have instructed me to report the following bill for his relief, and recommend its passage:

No. 35. A bill for the relief of Zachariah Collins.

Which was read the first time;

The rules being suspended, the bill was read a second and third times, and passed;

The Secretary ordered to inform the House thereof.

Mr. Handy introduced the following bill:

No. 36. A bill relative to the practice in the Laporte circuit court;

Which was read the first time;

The rules being suspended, the bill was read the second time, and referred to the judiciary committee.

Mr. McCarty introduced the following bill:

No. 37. A bill to vacate a street in the town of Brookville;

Which was read the first time;

The rules being suspended, the bill was read a second and third times, and passed.

The Secretary ordered to inform the House thereof.

Mr. Holloway introduced the following bill:

No. 38. A bill for the relief of the securities of John Plasters, formerly School Fund Commissioner of Miami county;

Which was read the first time;

The rules being suspended, the bill was read a second time, and referred to a select committee;

Messrs. Holloway, Cassatt, and Davis, were appointed said committee.

ORDERS OF THE DAY.

No. 2. A bill to authorise the Treasurer, Auditor, and Governor of State, to borrow money to pay the interest on the funded debt bill, due Jan., 1st, 1848;

Was read a second time, and referred to the committee on finance.

No. 8. A bill to amend the Charter of the Madison and Napoleon Turnpike Company;

Was read a second time, and referred to the committee on corporations.

No. 11. A bill to regulate the fees and emoluments of county officers;

Was read a second time, and referred to the judiciary committee.

No. 13. A joint resolution, relative to bounty land warrants;

Was read a second time;

The rules being suspended, was read a third time, and passed.

The Secretary ordered to inform the Senate thereof.

No. 16. A bill to incorporate the Logan Manufacturing Company;

Was read a second time, and referred to the committee on corporations.

On motion by Mr. Houghton,

The following message from the House of Representatives, was taken from the table:

Mr. President:

I am directed by the House of Representatives, to inform the Senate that the House have adopted the following resolution:

Resolved, That the House will, the Senate concurring therein, proceed to elect a trustee, on behalf of the State, of the Wabash and Erie Canal, and also a commissioner of the New Albany and Vincennes McAdamized Road, on Monday next, at half past two o'clock, P. M.

In which the concurrence of the Senate is respectfully requested.

Mr. Rousseau moved to strike out all that part of the message, that refers to going into election of canal trustee, and commissioner of New Albany and Vincennes Turnpike;

Which was not adopted.

Mr. Millikin moved to amend, by striking out all that part of the resolution that relates to the election of canal trustee;

Which was not adopted.

Mr. Berry moved to concur in the resolution of the House, by inserting Wednesday, in lieu of Monday;

Which was not adopted.

Mr. Davis moved to concur in the resolution of the House, by inserting an Agent of State;

Which was adopted.

Mr. Berry moved to lay the resolution, together with the amendments, on the table;

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Berry, Day, Davis, Handy, Henry, Huffstetter, James, McCarty, Miller, Millikin, Morrison, Murray, Osborn, Read, Stewart, Taber, Walpole, Waters, and Zenor—19.

Those who voted in the negative are,

Messrs. Barbour, Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Goodenow, Hamrick, Hardin, Holloway, Houghton, Hubbard, Malott, Marsh, Martin, Milligan, Montgomery, Murphy, Orth, Randal, Robinson, Rousseau, Simpson, Verbrike, and Winchell—26.

Which was decided in the negative.

So the resolution was not laid on the table.

Mr. Walpole offered the following amendment, to the amendment, to strike out "Monday next," and insert to-morrow, at 10 o'clock;

Which amendment was not adopted.

Mr. Berry moved to amend by inserting Saturday next, in lieu of Monday, (this day.)

Mr. Stewart moved the Senate adjourn;

Which motion did not prevail.

Mr. Handy moved to lay the of Mr. Orth on the table;

Which motion did not prevail,

The question being taken on the concurrence of the Senate in the resolution, as amended by Mr. Berry;

Which was decided in the negative.

Mr. Henry offered the following amendment: strike out all that relates to agent of State;

Decided in the negative.

Mr. Hubbard offered the following amendment: "Insert in place of Monday next, Thursday next, at 10 o'clock, A. M.;

Not adopted.

Mr. Berry moved to postpone the further consideration of the resolution and amendments, until Wednesday next;

Not adopted.

The Senate adjourned until 2 o'clock, P. M.

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2 o'clock, P. M.

The Senate assembled.

Mr. Marsh moved a call of the Senate;

Which motion was adopted.

Whereupon the Sergeant-at-arms was despatched for the absentees.

Mr. Read moved to suspend a further call;

Which motion was lost.

Mr. Orth moved to concur in the resolution of the House, with the following amendment: Insert half past two, P. M., on to-morrow.

Mr. Davis moved to amend the amendment, by adding "the election of State agent, also;"

Adopted.

Which resolution was concurred in, with the amendment.

The President laid before the Senate, the proceedings of the Common School Convention;

Which was referred to the committee on education.

The following message was received from His Excellency the Governor, by his private Secretary, James M. Sleeth:

MR. PRESIDENT:

I am directed by His Excellency the Governor, to inform the Senate, that he did, on the 11th instant, approve and sign joint resolution, No. 11th, entitled "A joint resolution for the relief of John R. Jones and John D. Ferguson;" which originated in that body, Dec. 13th, 1847.

The President laid before the Senate the following communication from the Secretary of the Common School Convention:

INDIANAPOLIS, *Dec.* 11th, 1847.

Hon. Paris C. Dunning, President of the Senate:

SIR:—By a resolution of the Common School Convention of the State of Indiana, held at the city of Indianapolis, in May last, in pursuance of the resolutions adopted by the Senate and House of Representatives, at the last session of the General Assembly, the Secretaries of said Convention, were instructed to transmit the proceedings, together with the address prepared by a committee thereof, to you, to be laid before the honorable body over which you preside.

I herewith send you the resolutions of the Convention, which you will please lay before the Senate.

The address of the committee has already been placed upon the desks of the Senators, and is consequently, already in the possession of the Senate.

Very respectfuly,

N. BOLTON, *Secretary.*

Which was accompanied by the reports of the proceedings, &c., of the Common School Convention, which,

On motion,

Were referred to the committee on education.

Leave being granted,

The following bill was presented by Mr. Winchell:

No. 39. A bill to incorporate the Indianapolis and Muncie Rail Road Company;

Which was read the first time, and the rules being suspended, the bill was read a second time and referred to the committee on corporations.

The Senate adjourned.

TUESDAY MORNING, DECEMBER 14, 1847.

Senate assembled.

The journal of the preceding day was read.

On motion by Mr. Berry,
The credentials of the newly elected members were taken up, and referred to the committee on elections.

Mr. Morrison presented the report of the committee on finance.

MR. PRESIDENT:

The committee on finance, to whom was referred a bill of the House, No, 2, entitled "An act to authorize the Treasurer, Auditor, and Governor of State, to borrow money to pay the interest on the funded debt, due January 1st, 1848," have, according to order, had the same under consideration, and have directed me to report the same back with the following amendment, and, on the adoption of which, to recommend its passage:

Amend by striking out "one hundred and ten," and inserting ninety-five.

Mr. McCarty made the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred bill No. 25, entitled "A Bill to provide for the appointment, by the Governor, of a commissioner to take the acknoweledgements of deeds, and other instruments," have had the same under consideration, and have instructed me to report the bill back, with an amendment—strike out the bill from the enacting clause, and insert the following:

An act to provide for the taking acknowledgments of deeds and other instruments in Mexico.

SECTION 1, *Be it enacted by the General Assembly of the State of Indiana*, That every Colonel, Lieut. Colonel, Major, and Captain, holding a commission from the Governor of the State of Indiana, and every person who may be commissioned by the same, serving in the army of the United States in Mexico, be, and are hereby authorized, to take the acknowledgment of deeds, powers of attorney, and all other instruments now required by law to be acknowledged.

SEC. 2. That instruments so acknowledged shall have the same

effect as like instruments acknowledged before a justice of the peace in the State.

SEC. 3. That a certificate of acknowledgment, purporting to be genuine, shall be *prima facie* evidence that it is so.

SEC. 4. This act shall be in force from and after the first day of January, 1848.

Which report was concurred in.

The following message was received from the House, by Mr. Ward, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House is now ready to proceed, with closed doors, to the election of two Bank Directors, to fill the vacancies of John F. Carr and Jacob Walker.

Mr. Orth made the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred bill of the Senate No. 36, entitled a bill relative to the practice in the Laporte Circuit Court, have had the same under consideration, and instructed me to report the same to the Senate, and recommend its passage.

Which was accepted, and the bill ordered to a third reading.

Mr. Orth made the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to which was referred bill of the Senate No. 30, entitled "A bill relative to the execution of decrees in chancery," have had the same under consideration, and instructed me to report the same to the Senate, and recommend its passage.

Which was accepted.
The bill ordered to a third reading.

Mr. Henry made the following report from the judiciary committee:

MR. PRESIDENT:

The judiciary committee, to whom was referred a bill entitled "an act explanatory of an act therein named," have had the same

under consideration, and instructed me to report the same back to the Senate, and recommend that it be *indefinitely postponed*.

Which was concurred in by the Senate.

The following report was received from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to which was referred Senate bill No. 18, entitled "a bill to amend section sixty-five, article six, chapter fifty-four of the revised laws of 1843, and for other purposes," have had the same under consideration, and have instructed me to report it back to the Senate, and recommend its indefinite postponement. And said committee ask to be discharged from further consideration of said bill.

Which was concurred in by the Senate.

Mr. Davis made the following report from the judiciary committee:

MR. PRESIDENT:

The judiciary committee, to whom was referred bill of the Senate No. 20, entitled "a bill to provide for the republication of certain laws therein named," have had the same under consideration, and have directed me to report the same back to the Senate, and recommend its passage.

Mr. Davis moved to amend by inserting, in the proper place, six hundred to one thousand pages, which was adopted.

Mr. Osborn moved to amend by inserting, after the word "Circuit," the words "and Probate," and strike out the word "Court" and insert "Courts," which was adopted.

Mr. Henry moved to amend by striking out 500 copies and insert 300 copies.

The ayes and noes being demanded by two Senators,

Pending which motion,

The hour arrived to go into the election of Bank Directors.

Mr. Orth asked leave to offer the following resolution,

Which was granted:

Resolved, That the House of Representatives be informed that the Senate is now ready to proceed, with closed doors, to the election of Bank Directors, according to the resolution heretofore adopted.

Which was adopted.

On motion by Mr. Orth, there was a call of the Senate.

The following message of the House of Representatives was received, by Mr. Ward, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to deliver to the Senate the accompanying sealed message, relative to the election of a State Bank Director.

The President laid before the Senate the report of the Warden of the State Prison.

Which, on motion of Mr. Morrison, was laid on the table, and 500 copies ordered to be printed.

According to order, the Senate then proceeded, with closed doors, to the election of Bank Director, to fill the vacancy occasioned by the expiration of the term of office of John F. Carr.

Messrs. Walpole and Handy acting as tellers,

And, upon counting the first ballot, it appeared that,

John F. Carr received - - - - - - -	27 votes.
George Henry received - - - - - - -	22 votes.
Blank, - - - - - - - - - -	1 vote.

John F. Carr having received a majority of all the votes given, the President declared him duly elected, on part of the Senate, a Director of the State Bank, to serve as such, for and during the term of four years from the expiration of his present term of service.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that, at an election for Director of the State Bank of Indiana, held with closed doors, in pursuance to a resolution of the two Houses, George Henry, on the 2d balloting, received a majority of all the votes given, and was declared duly elected, on the part of the House, a Director of the State Bank of Indiana, to serve as such for the term of four years, to fill the vacancy occasioned by the expiration of the term of service of John F. Carr.

M. S. WARD,
Clerk of House of Representatives.

The two Houses not agreeing in their choice,

The Senate proceeded, with closed doors, to a second separate balloting for a Bank Director. Upon which,

John F. Carr received - - - - - - - - 25 votes.
George Henry received - - - - - - - - 25 votes.

No gentleman having received a majority of all the votes given, the Senate proceeded to a third balloting. Upon which,

John F. Carr received - - - - - - - - 25 votes.
George Henry received - - - - - - - - 25 votes.

No gentleman having received a majority of all the votes given, the Senate proceeded to a fourth balloting. Upon which,

John F. Carr received - - - - - - - - 25 votes.
George Henry received - - - - - - - - 25 votes.

No gentleman having received a majority of all the votes given, the Senate proceeded to a fifth balloting. Upon which,

John F. Carr received - - - - - - - - 25 votes.
George Henry received - - - - - - - - 24 votes.
Scattering, - - - - - - - - - - 1 vote.

No gentleman having received a majority of all the votes given, the Senate proceeded to a sixth balloting. Upon which,

John F. Carr received - - - - - - - - 23 votes.
George Henry reeeived - - - - - - - - 25 votes.
Scattering, - - - - - - - - - - 2 votes.

No gentleman having received a majority of all the votes given, the Senate proceeded to a seventh balloting. Upon which,

John F. Carr received - - - - - - - - 25 votes.
George Henry received - - - - - - - - 25 votes.

No choice having been made the President adjourned further balloting until ten o'clock, A. M., on to-morrow.

The Senate adjourned until two o'clock, P. M.

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2 o'clock, P. M.

The Senate assembled.

Mr. Walpole moved a call of the Senate, which motion was adopted.

The sergeant at arms was then despatched for the absentees.

The following message was received from the House of Representatives, by Mr. Ward, their clerk.

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the clerk inform the Senate that the House is now ready to go into the election for the office of State Agent, Canal Trustee, and Commissioner of the New Albany and Vincennes Road, and request their attendance immediately in the Representative Hall, and that seats be provided on the right of the Speaker's chair.

The Senate then repaired to the Hall of the House of Representatives, and proceeded, in joint convention, to the election of State Agent.

Those who voted for Mr. Collins are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodenow, Hamrick, Holloway, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Rousseau, Simpson, Verbrike, Winchell, Zenor, Albin, Baldwin, Blythe, Bowling, Brown, Bryant, Coble, Coffin, Cole, Colip, Commons, Cookerly, Criswell, DeBruler, Dole, Dougherty, Frazer, Gooding, Gordon, Graham, Hankins, Harding, Harvey, Huddleston, Hull, Hunt, Kinney, Little, Lockwood, McCormick, McKinzie, Meredith, Miller, Morrison, Neff, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Stanton, Stone, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Williams of Madison, and Mr. Speaker.—74.

Those who voted for Mr. Test are

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, Waters, Armstrong, Blackstone, Campbell, Carr, Chambers, Covington, Danner, Dimmett, Dobson, Doyle, Dunham, Ford, Fuller, Goodman, Hall, Harlan, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Keizer, Kennard, Lane, Lichteberger, Line, Dowe, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Mills, Neal, Norris, Roache, Rulon, Short, Shryock, Slater, Smiley, Sullivan, Tinbrook, Trimbly, Widney, Winstandley, Wolf—71.

Those who voted for Mr. Ewing are,

Messrs. Houghton and Williams of Knox.—2.

Those who voted for Mr. Major are,

Messrs. Robinson and Hamilton.—2.

No gentleman having received a majority of all the votes given, the convention proceeded to a second balloting.

The name of Charles H. Test was withdrawn.

Those who voted for Mr. Collins are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodenow, Hamrick, Holloway, Houghton, Hubbard, James, Montgomery, Murphy, Murray, Orth, Osborn, Rousseau, Simpson, Verbrike, Walpole, Winchell, Zenor,—Albin, Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Carr, Coble, Coffin, Cole, Colip, Commons, Cookerly, De Bruler, Dole, Dougherty, Doyle, Ford, Frazer, Gooding, Gordon, Graham, Hankins, Hardin, Harvey, Huddleston, Hull, Hunt, Kinney, Lockwood, McCormick, McKenzie, Meredith, Miller, Morrison, Neal, Neff, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Stanton, Stone, Sullivan, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Williams of Madison, Winstandley, and Mr. Speaker.—82.

Those who voted for Mr. Test are,

Messrs. Hardin, Marsh, Martin, Morrison, Taber.—5.

Those who voted for Mr. Hammond are,

Messrs. Barbour, Berry, Stewart, Davis, Dimmet.—5.

Those who voted for Mr. Dowling are,

Messrs. Coats, Henry, Howell, Miller, Milligan, Read, Armstrong, Chambers, Dobson, Hatfield, Holden, Jones of Bartholomew, Lichteberger, Line, May, McConnel, Shryock, Smiley, Williams of Knox, and Wolf.—20.

Those who voted for Mr. Major are,

Messrs. Day, English, Green, Handy, Huffstetter, Malott, McCarty, Millikin, Randall, Robinson, Waters, Campbell, Covington, Criswell, Danner, Dunham, Goodman, Hall, Hamilton, Harlan, Jones of Switzerland, Keizer, Kernard, Lowe, Major, McDonald of Adams, Norris, Rulon, Slater, Tinbrook, Trimbly, Widney.—32.

Those who voted for Mr. Pitcher are,

Messrs. Fuller, McDonald of Lake, Mills. —3.

Mr. Short voted for Mr. Ewing.

Mr. Collins having received a majority of all the votes cast, was declared duly elected State Agent for the term of two years, from and after the expiration of the term of service of the present incumbent.

The convention then proceeded to the election of Canal Trustee. And on counting the first ballot, it appeared that,

Robert N. Carnan received	19 votes.
Henry C. Moore received	5 votes.
James G. Jones received	18 votes.
Samuel Hanna received	29 votes.
James T. Moffatt received	14 votes.
Austin M. Puett received	20 votes.
Nathan B. Palmer received	41 votes.
Bazil Brown received	1 vote.
John H. Bradley received	2 votes.
——— Graham received	1 vote.

No gentleman having received a majority of all the votes given, the convention proceeded to a second balloting. Upon which,

Robert N. Carnan received	20 votes.
Henry C. Moore received	2 votes.
James G. Jones received	19 votes.
Samuel Hanna received	27 votes.
James T. Moffatt received	11 votes.
Austin M. Puett received	22 votes.
Nathan B. Palmer received	37 votes.
John H. Bradley received	9 votes.
——— Pitcher received	1 vote.
——— Graham received	1 vote.
Blank,	1 vote.

No gentleman having received a majority of all the votes given, the convention proceeded to a third balloting. Upon which,

Robert N. Carnan received	33 votes.
James G. Jones received	21 votes.
Samuel Hanna received	26 votes.
James T. Moffat received	5 votes.
Austin M. Puett received	28 votes.
Nathan B. Palmer received	26 votes.

John H. Bradley received	7 votes.
——— Graham received	1 vote.
Blank,	3 votes.

No gentleman having received a majority of all the votes given, the convention proceeded to a fourth balloting. Upon which,

Robert N. Carnan received	43 votes.
James G. Jones received	19 votes.
Samuel Hanna received	25 votes.
Austin M. Puett received	31 votes.
Nathan B. Palmer received	14 votes.
John H. Bradley received	3 votes.
Scattering,	6 votes.

There being no choice, the convention adjourned the balloting until half past two o'clock, P. M., on to-morrow,

The Senate returned to their Chamber;
And, on motion,
The Senate adjourned.

WEDNESDAY MORNING, December 15, 1847.

Senate assembled.

The reading of the journal was dispensed with.

The previous order of business being suspended, Mr. Handy offered the following resolution:

Resolved, That the Senate will, the House of Representatives concuring therein, adjourn on the 15th inst., to meet on the 2d Monday in January, subject, however, to be convened by the proclamation of the Governor of the State of Indiana.

The previous order of business being suspended, Mr. Millikin made the following report from the committee on corporations.

Mr. President:

The committee on corporations to whom was refered bill of the Senate No. 17, have had the same under consideration and directed

me to report it back to the Senate without amendment and recommend its passage.

Which bill was read a third time and passed, the Secretary ordered to inform the House thereof.

Mr. Winchell, presented
No. 40. A bill, giving further time for the settlement of the revenues of Delaware county;
Which was read the first time;
The rules being suspended, the bill was read a second and third times and passed.
The Secretary, ordered to inform the House thereof.

Mr. Ellis moved a call of the Senate.
Which motion did not prevail.

The following message was received from the House of Representatives, by Mr. Ward their clerk.

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate, without amendment.
No. 33. An act to amend an act entitled "An act to incorporate the Lafayette Bridge Company," approved January 13th, 1845.

The order of business being further suspended,
House bill No. 2 was taken from the table, and read a third time.
The following message was received from the House of Representatives, by Mr. Ward their clerk.

Mr. President:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill of the Senate, without amendment.
No. 40. An act giving further time for the settlement of the revenues of Delaware county.

The hour of ten o'clock having arrived the Senate proceeded with closed doors, to the election of Bank directors in accordance with the adjournment of yesterday.
No gentleman having received a majority of all the votes cast, the Senate proceeded to an eighth balloting.

John F. Carr received	25 votes.
George Henry received	25 votes.

No gentlemen having received a majority of all the votes cast, the Senate proceeded to a ninth ballotting.

John F. Carr received	24 votes.
George Henry received	25 votes.
Bazil Brown received	1 vote.

No gentleman having received a majority of all the votes cast, the Senate proceeded to a tenth ballotting.

John F. Carr received	24 votes.
George Henry received	26 votes.

George Henry, having received a majority of all the votes given, was declared by the President, on the part of the Senate, duly elected a Director of the State Bank of Indiana; to serve as such, for the term of four years, from and after the expiration of the term of service of John F. Carr.

The following message was received from the House of Representatives, by Mr. Ward their clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to deliver to the Senate, the accompanying sealed message, relative to the election of a State Bank Director.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that at an election for Director of the State Bank of Indiana, held with closed doors, in pursuance to a resolution of the two Houses, George Henry received on the 4th balloting, a majority of all the votes given and was declared duly elected on the part of the House, a Director of the State Bank of Indiana to serve as such for the term of four years from and after the expiration of the term of service of John F. Carr.

WARD, *Clerk H. R.*

The Senate then proceeded to the election of a State Bank Director, to fill the vacancy occasioned by the resignation of Jacob Walker.

Messrs. Holloway and Berry acting as tellers. Upon the first ballot,

William K. Rochester received	23 votes.
P. M. Parks received	23 votes.
Elijah Newland received	3 votes.
Blank	1 vote.

No gentleman having received a majority of all the votes cast, the Senate proceeded to a second balloting, upon which

William K. Rochester received	23 votes.
P. M. Parks received	25 votes.
Elijah Newland received	1 vote.
Blank	1 vote.

No gentleman having received a majority of all the votes cast, the Senate proceeded to a third balloting, upon which

William K. Rochester received	24 votes.
P. M. Parks received	25 votes.
Blank	1 vote.

No gentleman having received a majority of all the votes cast, the Senate proceeded to a 4th balloting, upon which

William K. Rochester received	23 votes.
P. M. Parks received	23 votes.
Blank	4 votes.

No gentleman having received a majority of all the votes cast,

The President adjourned the balloting until to-morrow morning 10 o'clock.

Mr. Handy moved a call of the Senate.

Which motion did not prevail.

Mr. Ellis moved that the Senate adjourn;

Which motion did not prevail.

Mr. Ellis moved that the House bill No. 2, be laid on the table.

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Barbour, Cassatt, Conduit, Conner, Cornett, English, Ellis, Green, Handy, Hardin, Holloway, Hubbard, Marsh, Martin, Milligan, Murphey, Orth, Robinson, Rousseau, Stewart, Walpole, Waters, Winchell—23.

Those who voted in the negative are,

Messrs. Beard, Berry, Chenowith, Coats, Day, Davis, Goodenow, Hamrick, Henry, Howell, Houghton, Huffstetter, James, Malott, McCarty, Miller, Millikin, Montgomery, Morrison, Murray, Osborn, Randall, Read, Simpson, Taber, Verbrike, Zenor—27.

Which was decided in the negative.

Mr. Barbour, moved to postpone the further consideration of the bill, until 2 o'clock, P. M., which was adopted.

On motion by Mr. Handy,

The resolution in reference to adjournment, until the second Monday (10th day) of January next, was taken up.

Mr. Murphy offered the following amendment.

WHEREAS, The small pox, in a most malignant form, has made its appearance in this city, and as great fears are entertained that it will spread its contagion to the members of the Legislature, therefore

Resolved, That when the Senate adjourns this evening, the House of Representatives concurring therein, they will adjourn to meet again on the second Monday of January next, *provided*, no case of the small pox shall exist in this city at that time, but in case there should still be cases of that loathsome disease in the city, the Governor of the State shall convene the Legislature by proclamation, at such time as no danger shall exist from this disease.

Mr. Marsh offered the following amendment.

Strike out the words "second Monday in January" and insert "second Monday in May."

The vote was then taken on striking out,

And the words "second Monday in January" was so stricken out.

Mr. Berry moved to amend by inserting the "third Monday in January."

Mr. Montgomery moved to lay the pending resolution together with the amendments on the table.

The ayes and noes were demanded by Messrs. Montgomery and Ellis.

Those who voted in the affirmative are,

Messrs. Barbour, Cassatt, Conduit, Conner, Day, Davis, Ellis, Goodenow, Hamrick, Hardin, Henry, Holloway, Howell, Houghton, Hubbard, James, Malott, Martin, McCarty, Miller, Milligan, Millikin, Montgomery, Morrison, Murray, Orth, Osborn, Randall, Read Rousseau, Simpson, Stewart, Zenor—33

Those who voted in the negative are,

Messrs. Beard, Berry, Chenowith, Coats, Conner, English, Green, Handy, Huffstetter, Marsh, Murphy, Robinson, Taber, Verbrike, Waters, Winchell—16.

Which was decided in the affirmative.

So said resolution and amendments were laid on the table.

The following message was received from his excellency the Governor, by his private Secretary, Mr. James M. Sleeth.

MR. PRESIDENT:

I am directed by his excellency the Governor to inform the Senate that he has this day approved and signed bill, No. 33, entitled, "an act to amend an act," entitled, "an act to incorporate the Lafayette Bridge Company, approved January 13th, 1845;" which originated in that body.

Dec. 15th, 1847.

On motion the Senate adjourned until two o'clock, P. M.

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2 o'clock P. M.

The Senate assembled.

On motion by Mr. Simpson,

There was a call of the Senate.

The Sergeant at Arms, was dispatched for the absentees,

The following message was received from the House of Representatives by Mr. Ward their clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the Speaker of the House has signed the following enrolled bills of the Senate:

No. 40. An act giving further time for the settlement of the revenues of Delaware county.

No. 9. A joint resolution for the reduction of the price of public lands in the Great Miami Reserve to one dollar and twenty-five cents per acre to actual settlers.

Which I am directed to bring to the Senate for the signature of the President thereof.

Which were respectively signed by the President.

On motion by Mr. Millikin,

A further call of the Senate was suspended.

The hour having arrived the Senators repaired to the House of Representatives to elect a Trustee on the part of the State for the Wabash and Erie Canal; in accordance with the adjournment of yesterday.

No gentleman having received a majority of all the votes cast yesterday when the convention adjourned, the convention proceeded to a 5th balloting.

Robert N. Carnan received	33 votes.
James G. Jones received	18 votes.
Samuel Hanna received	34 votes.
Austin M. Puett received	36 votes.
Nathan B. Palmer received	20 votes.
John H. Bradley received	2 votes.
Blank	4 votes.

No gentleman having received a majority of all the votes cast, the convention proceeded to a 6th balloting.

Robert N. Carnan received	37 votes.
James G. Jones received	11 votes.
Samuel Hanna received	36 votes.
Austin M. Puett received	46 votes.
Nathan B. Palmer received	8 votes.
Christopher C. Graham received	8 votes.
Blank	2 votes.

No gentleman having received a majority of all the votes cast, the convention proceeded to a 7th balloting.

Robert N. Carnan received	49 votes.
James G. Jones received	6 votes.
Samuel Hanna received	24 votes.
Austin M. Puett received	54 votes.
Nathan B. Palmer received	2 votes.
Christopher C. Graham received	8 votes.
Blank	5 votes.

No gentleman having received a majority of all the votes cast, the convention proceeded to an eighth ballotting.

Robert N. Carnan received	50 votes.
Austin M. Puett received	66 votes.
Samuel Hanna received	19 votes.
James G. Jones received	7 votes.
Christopher C. Graham received	4 votes.
Daniel Mace received	1 vote.
Blank	1 vote.

The name of Mr. Hanna was withdrawn.

No gentleman having received a majority of all the votes given, the convention proceeded to ninth balloting, upon which

Robert N. Cannan received	61 votes.
Austin M. Puett received	56 vo.es.
James G. Jones received	12 votes.
Daniel Mace received	13 votes.
Wm. Z. Stewart received	1 vote.

M. G. Bright received	1 vote.
Blank	3 votes.

No gentleman having received a majority of all the votes given, the convention proceeded to a tenth balloting, upon which

Robert N. Carnan received	64 votes.
Austin M. Puett received	50 votes.
James G. Jones received	15 votes.
Daniel Mace received	15 votes.
Wm. Z. Stewart received	1 vote.
Osborn received	1 vote.
Blank	1 vote.

There being no choice the balloting was adjourned until half-past two o'clock on to-morrow.

The Senate then returned to their chamber and adjourned.

THURSDAY MORNING, DECEMBER 16, 1847.

The Senate assembled.

Reading the journal was dispensed with.

Mr. Cornett presented a petition in reference to the militia law;

Which was referred to the committee on military affairs.

Mr. Handy moved to suspend the previous order of business, and take up bill of the House No. 2,

Which motion prevailed.

Mr. Walpole moved to recommit the bill with the following instructions:

SECTION —. It shall be the duty of the agent of State at the time of paying the interest due from the State to the bond holders, on the 1st day of January, 1848, to withhold out of said interest so due, the sum of nine thousand one hundred and sixty nine dollars and ninety four cents, with interest thereon, from the time the same was paid out, which sum was advanced from the State Treasury, to be refunded by the bond holders out of the proceeds of the first sales of the lands granted for the Wabash and Ohio canal, the expenditure having been incurred on account of selecting and rating said lands, the sale of said lands having now been made, and the said sum not being refunded to the State.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Chenowith, Coates, Davis, English, Hamrick, Handy, Henry, Howel, Houghton, James, Martin, McCarty, Miller, Millikin, Montgomery, Morrison, Osborn, Randall, Read, Rousseau, Simpson, Taber, Verbrike and Zenor—26.

Those who voted in the negative are,

Messrs. Barbour, Cassatt, Conduit, Cornett, Day, Ellis, Goodenow, Green, Hardin, Holloway, Hubbard, Huffstetter, Marsh, Milligan, Murray, Orth, Robinson, Stewart, Walpole, Waters and Winchell —21.

Which was decided in the affirmative.

The hour of ten o'clock having arrived, the further consideration of the bill was suspended.

The Senate then proceeded with closed doors, to the election of Bank Director, in accordance with the adjournment of yesterday.

No gentleman having received a majority of all the votes cast, the Senate proceeded to a fifth balloting; upon which,

Wiiliam K. Rochester received, - - - - - -	24 votes.
P. M. Park, - - - - - - - - - - -	20 votes.
Blank, - - - - - - - - - - -	3 votes

William K. Rochester, having received a majority of all the votes cast, the President declared him on the part of the Senate, duly elected a Director of the State Bank of Indiana, to serve as such for the remainder of the unexpired term of Jacob Walker, resigned.

The Secretary ordered to inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to deliver to the Senate, the accompanying sealed message, relative to the election of a Bank Director.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that at an election for Director of the State Bank of Indiana, held with closed doors, in pursuance to a resolution of the two Houses, William K. Rochester received on the first balloting, a majority of all the votes given, and was declared duly elected on the part of the House, a Director of the State Bank of Indiana, to serve as such for the remainder of the unexpired term of Jacob Walker, resigned.

M. S. WARD,
Clerk of House of Representatives.

The question now being,
Will the Senate have the main question now put;
Which was decided in the affirmative.
The qustion then being taken on the passage of the bill,
The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Berry, Chenowith, Coates, Cornett, Davis, Goodenow, Hamrick, Henry, Holloway, Howell, Houghton, Hubbard, James, Malott, Martin, McCarty, Miller, Millikin, Montgomery, Morrison, Murray, Osborn, Randall, Read, Rousseau, Simpson, Taber, Verbrike and Zenor—30.

Those who voted in the negative are,

Messrs. Barbour, Cassatt, Conduit, Day, English, Ellis, Greene, Handy, Hardin, Huffstetter, Marsh, Milligan, Orth, Robinson, Stewart, Walpole, Waters and Winchell—18.

Which was decided in the affirmative.

So the bill was passed.

The Secretary ordered to inform the House thereof.

Mr. Montgomery moved to amend the title as follows:

A bill to authorize the Governor, treasurer, and auditor of State to borrow money to supply the present deficit in the State Treasury;

Which was not adopted.

Mr. Henry offered the following amendment to the title of the bill:

An act to authorize the Governor, Auditor, and Treasurer of State to borrow a sum of money not exceeding ninety five thousand dollars, to pay the interest due on the funded debt, on the first day of January, 1848.

Which was adopted as the title of the bill.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill thereof:

No. 58. An act to authorize Samuel S. Millikin to build a mill-dam acros the Salamonia river, in Wells county.

Rules suspended and passed.

In which the concurrence of the Senate is respectfully requested.

And that the House have also passed the following engrossed bill of the Senate, with two amendments.

No. 19. A bill to amend the charter of the city of New Albany.

In which amendments the concurrence of the Senate is respectfully requested.

Concurred in by the Senate.

Mr. Cassatt asked leave to introduce the following resolution,

Which was granted.

Resolved, That the Trustees of the Wabash and Erie canal be requested to report to the Senate at as early a day as convenient, whether the canal lands have been appraised in conformity with the act "supplementary to an act providing for the funded debt of the State of Indiana," and for the completion of the Wabash and Erie canal to Evansville, approved January 27, 1847, and if not, whether it is intended by said trustees, to have the said appraisment completed, and the relief given to the owners of said lands, contemplated by the aforesaid acts.

Which was adopted.

The following message was received from the House of Representatives, by Mr. Ward their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House concurred in the engrossed amendments of the Senate to engrossed bill of the House.

No. 2. An act to authorize the Treasurer, Auditor and Governor of State to borrow money to pay the interest on the funded debt bill, due January 1st, 1847.

The President laid before the Senate the following message from his Excellency the Governor, by his private Secretary, Mr. James M. Sleeth:

To the President of the Senate:

Sir—It is requested that the enclosed communication be laid before the Senate. I have the honor to be,

Your ob't. servant,

JAS. WHITCOMB.

December 14, 1847.

Executive Department,
December 14, 1847.

Gentlemen of the Senate:

I hereby nominate to you for appointment, Thomas L. Smith, of Floyd county, as a Judge of the Supreme Court of the State of Indiana, to hold the said office of Judge as aforesaid, for and during the term of seven years, if he shall so long behave well. The said term to commence at the end of the present session of the General Assembly of said State, at which time his present commission as such Judge will expire; to which nomination for appointment of the said Thomas L. Smith as such Judge, the advice and consent of the Senate are respectfully asked.

JAS. WHITCOMB.

Mr. McCarty offered the following resolution:

Resolved, That the Senate do advise and consent to the appointment of Thomas L. Smith as one of the Judges of the Supreme Court.

Mr. Walpole moved to lay the resolution on the table.

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Cornett, Davis, Ellis, Goodenow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Winchell and Zenor—22.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coates, Day, English, Green, Hardin, Henry, Howell, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber and Waters—24.

Which was decided in the negative.

So the resolution was not laid on the table.

Mr. Ellis moved that the further consideration of the resolution be postponed until Monday next.

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Cornett, Davis, Ellis, Goodenow, Hamrick, Holloway, Houghton, Hubbard, Montgomery,

Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Winchell and Zenor—23.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Hardin, Henry, Howell, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber and Waters—24.

Which was decided in the negative.
The resolution was not postponed.
Mr. Beard moved that the resolution be laid on the table.
The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Coats, Conduit, Cornett, Davis, Ellis, Goodenow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murray, Orth, Osborn, Robinson, Rosseau, Simpson, Stewart, Taber, Verbrike, Walpole, Winchell and Zenor—26.

Those who voted in the negative are,

Messrs. Barbour, Berry, Day, English, Green, Hardin, Henry, Howell, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read and Waters—21.

Which was decided in the affirmative.
So the resolution was laid on the table.
On motion by Mr. Handy,
The following message of the House was taken from the table.

Mr. President:

I am directed by the House of Representatives, to inform the Senate, that the House have adopted the following preamble and resolutions:

Whereas, A case of the small pox is in the city of Indianapolis, and a number of the members of this House have been exposed to the malaria of the contagion, by unwarily visiting and communing with one who is laboring under the influence before and after the character of the disease was known or suspected. *And whereas*, under such circumstances, considering the danger of the disease breaking out in the Halls of the Legislature, and the disasters to the country consequent upon the dissemination of the contagion. In order. if possible, to arrest its course, and at least to defer further legislation until a more propitious season, Therefore

Be it resolved, By this House, the Senate concurring, that the Legislature be and the same is hereby adjourned until the second Monday in January next.

Be it further resolved, That the members of both Houses, the Senate concurring, shall be entitled to the same pay for travelling to and from their respective residences, as is allowed by law, at regular sessions.

In which the concurrence of the Senate is respectfully requested.
Mr. Howell moved to amend by striking out "the second Monday in January."
The second Monday in January was so stricken out.
Mr. Orth moved to insert the first Monday in May;
Which was not adopted.
Mr. Hardin moved to insert the first Monday in December, 1848;
Which was not adopted.
Mr. Orth moved to insert the third Monday in May;
Which was not adopted.
It was moved to insert the second Monday in May;
Which was not adopted.
It was moved to insert the third Monday in February;
Which was not adopted.
Mr. Millikin moved to insert the fourth Monday in January;
Which was not adopted.
It was moved to insert the second Monday in February;
Which was not udopted.
Mr. Day moved to insert the first Monday in February;
Which was adopted.
Mr. Montgomery moved to strike out so much as relates to the mileage in going from and returning to the capital.
The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Chenowith, Conduit, Cornett, Davis, Goodenow, Hamrick, Hardin, Henry, Malott, Millikin, Montgomery, Morrison, Orth, Read, Simpson, Stewart, Verbrike and Waters—18.

Those who voted in the negative are,

Messrs. Barbour, Beard, Berry, Coats, Day, English, Ellis, Green, Handy, Holloway, Howell, Houghton, Hubbard, Huffstetter, James, Marsh, Martin, McCarty, Miller, Milligan, Murray, Osborn, Randall, Robinson, Rousseau, Taber, Walpole, Winchell and Zenor—29.

Which was decided in the negative.
And was not stricken out.
The question being on the adoption of the resolution,
The ayes and noes were demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Coats, Day, English, Green, Handy, Howell, Huffstetter, James, Marsh, Miller, Robinson, Taber, Verbrike, Waters and Winchell—19.

Those who voted in the negative are,

Messrs. Barbour, Conduit, Cornett, Davis, Ellis, Goodenow, Hamrick, Hardin, Henry, Holloway, Houghton, Hubbard, Malott, Martin, McCarty, Milligan, Millikin, Montgomery, Morrison, Orth, Osborn, Randall, Rousseau, Simpson and Walpole—25.

The resolution was not adopted.

The President laid before the Senate a communication from the Agent of State.

Hon. the Senate of the State of Indiana:

In reply to the resolution of the Senate of the 13th instant, requesting the Agent of State to inform the Senate *immediately* of the amount of coupons, bonds or other compensation paid to Charles Butler by the bond holders, for services rendered by said Butler in procuring the passage of the State debt bill of 1846, and the amendments thereto of 1847.

I have to state that I have no information on the subject, otherwise that what is derived from common rumor, never having deemed it to be any part of my official duty to enquire into the matter.

Rumor says that the London committee recommended to the bond holders to pay Mr. Butler, by way of compensation, one coupon or the equivalent of one coupon, off of each bond; but the same rumor adds that a good many of them declined to comply with this recommendation.

Personally, I have no knowldge on the subject.

M. G. BRIGHT,
Agent.

The President laid before the Senate a communication from the common school convention.

Which was referred to the committee on education.

Senate adjourned until 2 o'clock, P. M.

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2 o'clock, P. M.

The Senate assembled.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House passed the following engrossed bill thereof:

No. 54. An act for the relief of the executors of the will of Samuel Glass, deceased, and to secure the title to purchasers of lands sold by said executors;

In which the concurrence of the Senate is respectfully requested.

In which the Senate concurred.

Mr. Osborn moved to reconsider the vote taken on the resolution of the House in reference to the adjournment until the first Monday in February next,

Which motion was adopted.

Mr. Montgomery moved there be a call of the Senate;

Which was decided in the negative.

The question being then taken on the adoption of the resolution in reference to adjournment until the first Monday in February next,

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Coats, Cornett, Day, English, Green, Handy, Howell, Hubbard, Huffstetter, James, Marsh, Miller, Millikin, Osborn, Robinson, Taber, Verbrike, Waters, Winchell and Zenor—24.

Those who voted in the negative are,

Messrs, Barbour, Conduit, Davis, Ellis, Goodenow, Hamrick, Hardin, Henry, Holloway, Houghton, Malott, Martin, McCarty, Milligan, Montgomery, Morrison, Orth, Randall, Read, Rousseau, Simpson and Stewart—22.

The resolution was adopted.

The following message was received from the House of Representatives, by their clerk, Mr. Ward:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House adopted the following resolution:

Resolved, That the Senate be invited to attend in this hall instanter, for the purpose of going into the election of canal trustee.

The Senate then repaired to the hall of the House of Representatives.

No gentleman having received a majority of all the votes cast on either balloting yesterday, the convention proceeded to the 11th balloting for Canal Trustee; upon which,

Robert N. Carnan received	58 votes.
Austin M. Puett received	60 votes.
James G. Jones received	14 votes.
Nathan B. Palmer received	2 votes.
Charles H. Test received	5 votes.
Blank,	4 votes.

There being no choice, the convention adjourned.

The Senate returned to their chamber.

Mr. Cassatt moved to take up the joint resolution

No. 14. A joint resolution to postpone the sale of lands in the Miami Reserve;

Which was taken up, and,

On motion by Mr. Cassatt,

The rules were suspended, and the joint resolution read a second and third times and passed.

Ordered, the Secretary inform the House.

Mr. Taber presented the following petition:

From G. P. Clure, and others, relative to creating a new Bank District.

Referred to the committee on the State Bank.

Bill introduced by Mr. Osborn,

No. 41. A bill to extend the time for appraising lands belonging to the Wabash and Ere canal,

Was read the first time, the rules suspended, and the bill was read a second time, and referred to a select committee.

The following report by Mr. Milligan, from the select committee to whom was referred the petition of Thomas Atkinson, and other citizens of Jay county.

Mr. President:

The select committee to whom was referred the petition of Thos. Atkinson and others, citizens of Jay county, praying the passage of a law, authorizing the auditor and school commissioner of Jay county to sell school lands in said county, have had the same under consideration, and desired me to report the following bill, and recommend its passage.

No. 42. A bill to authorise the Auditor and School Commissioner of Jay county, to sell school lands in said county;

Was read the first time, and the rules being suspended, the bill was read a second time, and referred to a select committee.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill thereof:

No. 74. An act regulating special elections ordered by the Governor.

In which the concurrence of the Senate is respectfully requested.

Mr. Marsh presented a petition from Robert L. Douglass and Lewis Myers, of Steuben county;

Which was referred to a select committee.

The following report by Mr. Robinson, from the judiciary committee, to whom was referred the petition of Elizabeth Jones:

Mr. President:

The judiciary committee to whom was referred the petition of Elizabeth Jones, of Gibson county, have, according to order, had the same under consideration, and directed me to report the following bill, and recommend its passage:

No. 43. A bill for the relief of Elizabeth Jones, of Gibson county;

Was read the first time, and the rules being suspended, the bill was read a second and third times and passed.

Ordered, the Secretary inform the House thereof.

Bill by Mr. Hardin,

No. . A bill to extend the jurisdiction of justices of the peace in certain criminal cases therein named;

Read the first time, the rules were suspended, and the bill read a second time and referred to the judiciary committee.

Bill by Mr. Stewart,

No. 44. A bill relative to the Marion circuit court;

Which was read the first time, the rules were suspended, and the bill read a second and third times and passed.

Ordered, the Secretary inform the House thereof.

The following report was received from the select committee to whom was referred the petition of Robert Kennedy and others, of St. Joseph county.

Mr. President:

The select committee to whom was referred the petitien of Robert Kennedy and others, of the county of St. Joseph, praying the passage

of an act "to vacate all that part of the State road lying east of the north west corner of section eighteen, in township thirty eight in range four east, in St. Joseph county," have had that subject under consideration, and have directed me to report the following bill, and recommend its passage, to-wit:

No. 45. An act to vacate a part of a State road in the county of St. Joseph;

Was read the first time, and the rules being suspended, was read a second and third times and passed.

Ordered, the Secretary inform the House thereof.

Bill by Mr. McCarty,

No. 46. An act to amend an act incorporating the Brookville and Cincinnati Turnpike Company;

Was read the first time, and the rules were suspended, and the bill read a second and third times and passed.

Ordered, the Secretary inform the House thereof.

The following report was received from the select committee to whom was referred the petition of sundry citizens of Decatur and Shelby counties, praying that a part of Shelby county be attached to Decatur county.

Mr. President:

The select committee to whom was referred the petition of the citizens of Shelby and Decatur counties, have had the same under consideration, and have directed me to report that it is inexpedient to legislate on that subject.

Laid on the table.

Bill by Mr. Hubbard,

No. 47. A bill to incorporate the Rushville and Lawrenceburg Rail Road Company;

Was read the first time, and the rules suspended, the bill read a second time, and referred to the committee on corporations.

The following report was received from the select committee to whom was referred the petition of the commissioners of Carroll county.

Mr. President:

The select committee to whom was referred the petition of the commissioners of Carroll county, have had the same under consideration, and have directed me to report the following bill, and respectfully recommend its passage.

No. . A bill to authorize the clerk of the Carroll circuit court to sell certain real estate.

The following message was received from his Excellency, the Governor:

Mr. President:

I am directed by his Excellency the Governor, to inform the Senate that he has this day approved and signed bill No. 40, entitled, "An act giving further time for the settlement of the revenues of Delaware county."

Also joint resolution No. 9, entitled "A joint resolution for the reduction of the price of public lands in the Great Miami Reserve to one dollar and twenty five cents per acre, to actual settlers, all of which originated in that body.

December 16, 1847.

The following report from the committee on corporations, was made by Mr. Millikin, a member thereof:

Mr. President:

The committee on corporations have had bill of the Senate No. 4, to incorporate the Franklin Institute of the Richmond University, under consideration, and directed me to report it back to the Senate, without amendment, and recommend its passage.

Which was read a first time, the rules being suspended, was read a second and third times and passed.

The Secretary ordered to inform the House thereof.

Bill by Mr. Walpole,

No. 50. A bill fixing the time of holding courts in Hancock county;

Was read the first time, and the rules were suspended, and the bill read a second and third times and passed.

Ordered, the Secretary inform the House thereof.

By Mr. Barbour,

No. 48. A joint resolution extending the term of office of the superintendent of the northern division of the Central Canal;

Read the first time, the rules suspended, read a second and third times and passed.

Ordered, the Secretary inform the House thereof.

The following report was received from the select committee to whom was referred bill No. 38.

Mr. President:

The select committee to whom was referred Senate bill No. 38, for the relief of the securities of John Plasters, former school commissioner of Miami county, have had that bill under consideration, and have directed me to report the same back without amendment, and recommend its passage.

The following message was received from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill of the Senate, without amendment:

No. 47, A bill fixing the time of holding courts in Hancock county.

On motion,

The Senate adjourned.

FRIDAY MORNING, DECEMBER 17, 1847.

The Senate assembled.

The reading of the journal was dispensed with.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bills of the Senate, without amendment:

No. 12. An act authorizing the Secretary of State to send to the county of Allen an additional number of copies of the laws of the State;

No. 15. An act prescribing the mode of selecting petit jurors in the county of Jay;

No. 17. An act to amend an act entitled an act to incorporate the Peru and Indianapolis railroad company;

No. 26. An act to amend an act entitled an act for the benefit of the volunteers for the Mexican war, and for the relief of county treasurers;

No. 46. An act to fix the time of holding courts in the eighth judicial circuit.

The following message was received from His Excellency the Governor, by his private Secretary, James M. Sleeth:

MR. PRESIDENT:

I am requested by the Governor to inform the Senate that he did, on yesterday, approve and sign the following bill:

No. 47. An act fixing the time of holding courts in Hancock county, which originated in the Senate.

The following message was received from the House of Representatives, by their clerk, Mr. Ward:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House refuses to concur in the amendment of the Senate to the resolution of the House in relation to the adjournment of both Houses of the General Assembly until the first Monday in February next.

Mr. Orth moved that the Senate recede from its amendment,

Which was carried.

The Senate adjourned until the second Monday (10th) of January, 1848.

MONDAY MORNING, JANUARY 10, 1848.

The Senate met.

A call of the Senate was ordered and the following senators were absent:

Messrs. Conduit, Conner, Davis, Ellis, Green, Holloway, Martin, Murphey, Simpson, Taber, Walpole and Winchell.

The journal of the preceding day was read.

Mr. Orth offered the following resolution.

Resolved. That the House of Representatives be informed that the Senate has met, persuant to adjournment, formed a quorum and are now ready to proceed to legislative business.

Which was adopted.

The following message was received from the House of Representatives by Mr. Ward their clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the clerk of this House inform the Senate that the House have met pursuant to adjournment, formed a quorum, and are now ready to proceed to legislative business.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

Mr. Read presented the remonstrance of sundry citizens, against surrendering the New Albany and Salem turnpike grade to a Rail Road company.

Which was referred to the committee on canals and internal improvements.

Mr. Goodnow presented a petition of sundry citizens, for a charter to construct a McAdamized road from the city of Madison to Brownstown, Ind.

Which was referred to the committee on corporations.

Mr. Waters presented the petition of Lewis Ewing and others, relative to correcting the numbers of certain lots, in the town of Carrolton.

Which was referrred to a select committee.

Messrs. Waters, Orth, and Cassatt were appointed said committee.

Mr. Miller presented the petition of M. G. C. Hargrove and others, relative to granting license to taverns and groceries.

Which was referred to a select committee.

Messrs. Miller, James and Zenor were appointed said committee.

Mr. Montgomery, presented the petition of Mary Smith praying for a divorce.

Which was laid upon the table.

Mr. Beard presented the petition of Robert Cox, praying for the relief of the heirs of Enoch, and Benjamin Cox.

Which was referred to the committee on canals and internal improvements.

Mr. Murray presented the petition of W. W. Arnold and others, relative to the Huntington and Goshen State road.

Which was referred to the committee on roads.

Mr. Randall presented the petition of sundry German citizens of Allen county, relative to the common school fund.

Which was referred to the committee on education.

Mr. Cassatt presented the petition of Geo. K. Putnam and others, relative to constructing a dam across the Mississinewa river.

Which was referred to a select committee.

Messrs. Cassatt, Orth, and Taber were appointed said committee.

Mr. Murray presented the petition of sundry citizens of Huntington county.

Which was referred to a select committee.

Messrs. Murray, Cornett and English, were appointed said committee.

Mr. Orth presented the petition of 593 citizens of Tippecanoe county.

Which was referred to the judiciary committee.

Mr. Day presented the petition of Rufus Johnson and others, of Union township, St. Joseph county.

Referred to a select committee, consisting of senators, Day, Randall and Osborn.

Mr. Hardin presented a petition praying for the devorce of E. M. Tilson.

Which was referred to the judiciary committee.

Mr. Osborn presented the petition of the board of commissioners for the county of Laporte.

Which was referred to the committee on education.

Mr. Orth presented the petition of the commissioners and seminary trustees of Tippecanoe county.

Which was referred to a select committee.

Messrs. Orth, Beard, and Montgomery, were appointed said committee.

Mr. Huffstetter presented the petition of Houston Miller, and others, for the relief of Joseph Mathers.

Which was referred to a select committee.

Messrs. Huffstetter, Morrison, and Malott were appointed said committee.

Mr. Miller presented the petition of Jas. W. Wright for a divorce.

Which was laid on the table.

The president, laid pefore the Senate the report of the board of trustees of the Wabash, and Erie Canal.

Which,

On motion by Mr. Miller,

Was laid on the table; and one thousand copies ordered to be printed for the use of the Senate.

The President, laid before the Senate the memorial of the National Medical Convention held in Philadelphia in May 1847.

Which,

On motion by Mr. Montgomery,

Was referred to the committee on education.

Mr. Orth made the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred, the petition of the commissioners of Tippecanoe county and the trustees of the seminary fund of said county, have had the same under consideration and instructed me to report the following bill and respectfully recommend its passage.

No. 56. A bill (of the Senate) in relation to the county seminary fund of Tippecanoe county.

Which was read the first time and ordered to a second reading.

Mr. McCarty made the following report from a joint committee.

MR. PRESIDENT:

The joint committee heretofore appointed to wait upon the Governor, and to ascertain from him at what time he might be pleased to make a communication to the respective Houses have directed me to report to the Senate, that in discharge of the duty assigned them they have been informed by the Governor that he will make such a communication on to-morrow at half-past 2 o'clock, P. M.

Mr. English offered the following resolution:

Resolved, That the Secretaries of the Senate be authorized to employ assistants, whenever the duties of their offices may require it.

Which was adopted.

Mr. Milligan, offered the following resolution:

Resolved, That the judiciary committee be requested, and instructed, to report a bill extending the jurisdiction of justices of the peace, of Randolph, Jay, and Blackford counties, to all cases punishable by fine only; and giving said justices, exclusive jurisdiction in said cases; reserving the right, to either party, to appeal to the circuit courts, of their respective counties.

Mr. Handy moved to amend by adding Shelby county, which was adopted.

Mr. Hubbard moved to amend by adding Rush county, which was adopted.

Mr. Berry moved to make its provisions general, which was adopted.

On motion by Mr. Robinson,

The resolution and amendments, were referred to the committee on judiciary.

Mr. Stewart presented the following resolution:

Resolved, That the assistant Door-keepers of the Senate, who were appointed by the Door-keeper, before the adjournment, be retained by the Door-keeper.

Mr. Orth moved to refer the resolution to a select committee.

Which was not adopted.

The question being on the adoption of the resolution,

The resolution was adopted.

Mr. Houghton offered the following resolution:

Resolved, That the Superintendent of the New Albany and Vincennes road, be requested to make his annual report to the Senate, immediately, if prepared.

Which was adopted.

By Mr. Goodnow,

No. 51. A bill to incorporate the Madison Female College;

Which was read the first time.

The rules being suspended the bill was read a second time; and.

On motion by Mr. Goodnow,

Was referred to the committee on education.

By Mr. Robinson,

No 52. A bill to attach a part of the county of Shelby to the county of Decatur;

Which was read the first time, and ordered to a second reading.

By Mr. Beard,

No. 53. A bill to incorporate the Crawfordsville and Indianapolis Rail Road Company;

Which was read the first time.

The rules being suspended, the bill was read a second time and referred to the committee on corporations.

By Mr. Berry,

No. 54. A bill to repeal the second section of "an act to vacate certain alleys in the town of Bloomington;"

Which was read the first time, and ordered to a second reading.

By Mr. Orth,

No. 55. A bill creating the Tippecanoe court of common pleas, and defining its jurisdiction;

Which was read the first time,

The rules being suspended, the bill was read a second time, and referred to the committee on the judiciary.

By Mr. Stewart,

No. 56. A bill for the benefit of the Union Literary Society;

Which was read the first time.

On motion by Mr. Stewart,

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

By Mr. Morrison,

No. 57. A bill providing for a special term of the probate court of Washington county, Indiana;

Which was read the first time.

On motion by Mr. Morrison,

The rules were suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

By Mr. Waters,

No. 58. A bill for the punishment of embezzlement;

Which was read the first time, and ordered to a second reading.

By Mr. Stewart,

No 59. A bill to protect the trust funds of the State;

Which was read the first time,

The rules being suspended, was read a second time, and,
On motion by Mr. Stewart,
Was referred to the committee on Finance.
By Mr. Orth,
No. 60. A bill to incorporate the Greenbush Cemetery Association of Lafayette in Tippecanoe county;
Which was read the first time.
The rules being suspended, was read a second time;
On motion by Mr Orth,
Was referred to the committee on corporations.
By Mr. Handy,
No. 61. A bill to authorize Ira Baily, to build an arm to the Knightstown and Shelbyville Rail Road;
Which was read the first time;
The rules being suspended, was read a second time;
On motion by Mr. Handy,
Was referred to the committee on corporations.
The Senate adjourned to 2 o'clock, P. M.

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2 O'clock, P. M.

Leave being granted, Mr. Handy presented a remonstrance of a number of the citizens of Shelby county, against detaching any part of Shelby county and attaching it to Decatur county.

Mr. Robinson moved to refer the remonstrance to a select committee of three Senators, with the following instructions:

1st. To inquire and report to the Senate how many of the remonstrators reside in Marion county.

2d. Whether any of the persons residing on the terriiory proposed to be attached have signed said remonstrance, and if so, who, and how many.

3d. Whether the majority of the remonstrators do not live in or about Shelbyville.

4th. Whether the facts contained in the petition are or are not true, and how many of the petitioners reside on the territory proposed to be attached.

Mr. Handy moved to lay the motion together with the instructions on the table, which motion was decided in the affirmative.

The remonstrance was laid upon the table.

Leave being granted,

Mr. Walpole presented the petition of William McCord and others of Hancock county, and George Beaver and others of Hamilton county, praying the location of a certain State road therein named.

Which,
On motion by Mr. Walpole,
Was referred to a select committee.

Senators Walpole, Hubbard, and Conner were appointed said committee.

Mr. Walpole presented the petition of Daniel Reece, Daniel C. Hastings, and others.
Which,
On motion by Mr. Walpole,
Was referred to a select committee censisting of senators Walpole, Handy, and Hubbard.
On motion by Mr. Stewart,

The following message from the House of Representatives was taken from the table:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill, thereof;

No. 87. A bill fixing the time of holding circuit courts in the county of Marion, and for other purposes;

In which the concurrence of the Senate is respectfully requested

Which was read the first time; and,
On motion by Mr. Stewart,
The rules were suspended and the bill read a second time;
When Mr. Stewart offered the following amendment;
"Strike out 'first Monday in June, and the second Monday in December' wherever they occur in the bill and insert the 'second Monday in April, and the second Monday in October."
Which amendment was adopted.
On motion by Mr. Stewart,
The rules were further suspended, the bill read a third time and passed.
Ordered, That the Secretary inform the House thereof.

ORDERS OF THE DAY.

Bills on their third reading—

No. 25. A bill (of the Senate) to authorize the Governor to appoint a commissioner of some citizen of Indiana in the volunteer service in Mexico, to take acknowledgements, and for other purposes;
Was read a third time and passed.
Ordered, That the Secretary inform the House thereof.
No. 30. A bill (of the Senate) relative to the execution of decress in Chancery;"
Was read a third time and passed.
Ordered, That the Secretary inform the House thereof.
No. 36. (Bill of the Senate)—An act relative to the practice in the Laporte circuit court;

Was read a third time and passed.
Ordered, That the Secretary inform the House thereof.

Bills on their second reading—

No. 28. A bill (of the Senate) to amend an act authorizing the people of the several townships, of the several counties, to prohibit the retailing of spirituous liquors;
Was read a second time, and,
On motion by Mr. Walpole;
Was referred to the committee on Judiciary, with the following instructions by Mr. Goodnow;
Amend by striking out "county auditor" and inserting "clerk of the circuit court."
No. 22. A bill (of the Senate) to prohibit the sale of spirituous liquors and wine, in Henry township, Henry county, Indiana;
Was read a second time and ordered to a third reading.
Mr. Walpole moved to re-consider the vote taken on the passage of bill No. 25;
Which was adopted.
Mr. Walpole then moved to recommit the bill to the Judiciary commmittee;
Pending which,
On motion by Mr. Rousseau,
The bill was laid on the table.
Mr. Houghton offered the following resolution:

Resolved, That the Auditor of State be requested to transmit to the Senate, the annual report made recently by the Superintendent of the New Albany and Vincennes Road;

Which was adopted.
No. 29. A bill (of the Senate) to amend the laws regulating appeals from other tribunals and officers to the circuit court;
Was read a second time; and,
On motion by Mr. Orth,
Was referred to the Judiciary committee.
The President laid before the Senate the report of the State Librarian; which,
On motion by Mr. Hardin,
Was referred to the committee on the State Library.
The Senate adjourned.

TUESDAY MORNING, JANUARY 11, 1848.

The Senate assembled.

The journal of the preceding day was read.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Berry,
A petition for the relief of John and Samuel Mathers, of Monroe county; which,
On motion by Mr. Berry,
Was referred to a select committee.
Senators Berry, Malott, and Conduit were appointed said committee.
By Mr. Cornett,
A petition of sundry citizens of Ripley county, praying for a revival of the Militia law; which,
On motion by Mr. Cornett,
Was referred to the committee on military affairs.
By Mr. Coates,
A petition of W. E. Ackley and others, praying the establishment of a Branch of the "State Bank," between Lafayette and Terre Haute; which,
On motion by Mr. Coates,
Was referred to committee on State Bank.
By Mr. Randall,
A petition of the citizens of Fort Wayne, asking a certain alley to be declared a public highway; which,
On motion by Mr. Randall,
Was referred to a select committee.
Senators Randall, Milligan, and Day were appointed said committee.
By Mr. Holloway,
A petition on the subject of the National Road, in Wayne county; which,
On motion by Mr. Holloway,
Was referred to a select committee.
Senators Holloway, Hubbard, and, Walpole were appointed said committee.
By Mr. Orth,
A petition for the relief of F. M. Thayer, of Lafayette; which,
On motion by Mr. Orth,
Was referred to a select committee.
Senators Orth, Waters, and Beard were appointed said committee.
By Mr. Houghton,

A petition to change the name of the county seat of Martin county; which,

On motion by Mr. Houghton,

Was referred to a select committee.

Senators Houghton, Ellis, and Rousseau were appointed said committee.

By Mr. Murray,

A petition for an incorporation; which,

On motion by Mr. Murray,

Was referred to the committee on incorporations.

By Mr. James,

A petition to establish a road in Posey and Vanderburg counties; which,

On motion by Mr. James,

Was referred to committee on roads.

By Mr. Orth,

A petition to change the name of the town of Granville to that of Weaville; which,

On motion by Mr. Orth,

Was referred to a select committee.

Senators Orth, Waters, and Beard were appointed said committee.

By Mr. Taber,

A petition to establish ditch routes in the county of Cass; which,

On motion by Mr. Taber,

Was referred to a select committee.

Senators Taber, Waters, and Montgomery were appointed said committee.

By Mr. Barbour,

A petition from the Directors of the Hartsville Public Library; which,

On motion by Mr. Barbour,

Was referred to a select committee.

Senators Barbour, Goodnow, and Robinson were appointed said committee.

By Mr. Randall,

A petition to postpone the payment of the revenue of the county of Adams; which,

On motion by Mr. Randall,

Was referred to a select committee.

Senators Randall, Milligan, and Day were appointed said committee.

By Mr. Read,

A remonstrance against granting the grade of the New Albany and Salem turn pike to a rail road; which,

On motion by Mr. Read,

Was referred to the committee on canals and internal improvements.

By Mr. Taber,

A petition for the relief of the securities of James H. Timtun, of Cass county; which,

On motion by Mr. Taber,

Was referred to the committee on education.

By Mr. Holloway,

A petition for the repeal of the black laws of this State.

Mr. Holloway moved its reference to a select committee of five;

Mr. Miller moved to amend by referring the petition to the judiciary committee.

Which was not adopted.

The question being, on the reference of the petition to a committee of five,

It was so referred.

Senators Holloway, Walpole, Robinson, Hubbard, and Miller were appointed said committee.

By Mr. Houghton,

The petition of Ann Abel, for a divorce; which,

On motion by Mr. Houghton,

Was referred to the judiciary committee.

By Mr. Murray,

A petition to change the name of Springfield, in Whitley county, to that of Cherryvalley; which,

On motion by Mr. Murray,

Was referred to a select committee.

Senators Murray, Holloway, and Conduit were appointed said committee.

By Mr. Cassatt,

A petition of Peter King and one hundred and sixty others, for a mill dam; which,

On motion by Mr. Cassatt,

Was referred to a select committee.

Senators Cassatt, Taber, and Orth were appointed said committee.

By Mr. Hougton,

A petition for an appropriation on Bayou bridge near Hindostan; which,

On motion by Mr. Houghton,

Was referred to the committee on canals and internal improvements.

The President laid before the Senate a communication from the Auditor of State, enclosing the report of the Superintendent of the New Albany and Vincennes Road; which,

On motion by Mr. Handy,

Was laid on the table and 500 copies ordered to be printed for the use of the Senate.

Mr. Robinson made the following report from the committee on claims :

MR. PRESIDENT:

The committee on claims, to whom was referred the petition of S. E. Waller and George Green, have according to order, had the same under consideration, and a majority of said committee have directed me to report the following bill, and respectfully recommend its passage.

No. 62. A bill for the benefit of S. E. Waller and George Green;
Which was read the first time, and ordered to a second reading.
Mr. Handy made the following report from the committee on corporations:

MR. PRESIDENT:

The committee on corporations, to whom was referred bill of the Senate No. 61, entitled a bill to authorize Ira Baily to build an arm to the Knightstown and Shelbyville rail road, have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend its passage:

No. 61. A bill to authorize Ira Bailey to build on arm to the Knightstown and Shelbyville rail road;
Which was read a second time;
On motion by Mr. Handy,
The rules were suspended, the bill read a third time and passed.
The Secretary ordered to inform the House thereof.
Mr. Millikin made the following report from the committee on corporations:

MR. PRESIDENT:

The committee on corporations to whom was referred bill of the Senate No. 60, to incorporate the Greenbush Cemetery, have had the same under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage;

Which was read a second time, and ordered to a third reading.
Mr. Read made the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred a bill to authorize the voters of this State to vote for or against a convention for the revision of the constitution, have had that subject under consideration, and have directed me to report it back to the House, and recommend its passage, and said committee ask to be discharged from the further consideration thereof.

No. 2. A bill to authorize the voters of this State to vote for or against a convention for a revision of the constitution;
Which was read a second time.
Mr. Orth moved to lay the bill on the table, and make it the special order of business for Monday next, at 2 o'clock, P. M.;
Which motion prevailed.
Mr. Marsh made the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of Robert L. Douglass and Lewis Myers, have had that subject under consideration, and direct me to report the following bill:

No. 63. A bill to change the name of Lewis Myers to that of Lewis Myers Douglass;
Which was read the first time.
On motion by Mr. Marsh,
The rules were suspended, the bill read a second time, and ordered to a third reading.
Mr. Murray made the following report from a select committee:

MR. PRESIDENT:

The committee to whom was referred the petition of sundry citizens of Huntington county, praying for a re-appraisement of land in said county, have had the same under consideration, and have directed me to report that a majority of said committee deem it inexpedient to grant the prayer of the petitioners, for the reason that it would open the door for much legislation on the same subject, which would result in great expense, and but little public good.

Which report was concurred in.
Mr. Randall made the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of the county commissioner and others of Adams county, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 64. An act to postpone the sale of delinquent lands in Adams county;
Which was read the first time;
On motion by Mr. Randall,
The rules were suspended, the bill read a second and third times and passed.

The Secretary ordered to inform the House thereof.

Mr. Orth made the following report from a select committee:

Mr. President:

The select committee to whom was referred the petition of F. M. Thayer, in reference to vacating a portion of an addition to the town of Lafayette, have had the same under consideration, and instructed me to report the following bill, and respectfully recommend its passage.

No. 65. A bill (of the Senate) to vacate a portion of an addition to the town of Lafayette;

Which was read the first time, and ordered to a second reading.

Mr. Coates offered the following resolution:

Resolved, That the judiciary committee be requested to inquire into the expediency of repealing the valuation or appraisement law on all contracts made from and after the first of June next.

With leave to report by bill or otherwise.

Which was adopted.

Mr. McCarty offered the following joint resolution:

No. 66. A joint resolution relative to the Mexican War;

Which was read the first time, and ordered to a second reading.

Mr. Holloway offered the following joint resolution:

No. 67. A joint resolution relative to the Mexican War;

Which was read the first time, and passed to a second reading.

BILLS INTRODUCED.

By Mr. Millikin,

No. 68. A bill for the relief of the citizens of Lawrenceburgh;

Which was read the first time.

On motion by Mr. Millikin,

The rules were suspended, the bill read a second and third times and passed.

The Secretary ordered to inform the House thereof.

By Mr. Murray,

No. 69. A bill to repeal an act entitled an act for the relief of the Miami Indians, approved February 3d, 1841;

Which was read the first time.

On motion by Mr. Murray,

The rules were suspended, the bill read a second time, and referred to the committee on judiciary.

By Mr. Waters,

No. 70. A bill for the relief of Anthony Schutz, deceased.

Which was read the first time, and passed to a second reading.

By Mr. Orth,

No. 71. A bill to authorize Mathias Peterson to convey water into the city of Lafayette;

Which was read the first time, and passed to a second reading.

By Mr. McCarty,

No. 72. A bill to incorporate the Fairfield Hydraulic Company;

Which was read the first time.

On motion by Mr. McCarty,

The rules were suspended, the bill read a second time, and referred to the committee on corporations.

By Mr. Stewart,

No. 73. A bill for the relief of Davis Porter;

Was read the first time; and,

On motion by Mr. Stewart,

The rules were suspended, and the bill read a second time and referred to the committee on the benevolent institutions of the State.

By Mr. James,

No. 74, A bill to amend article ninety, chapter thirty, of the Revised Laws of 1843;

Was read the first time, and passed to a second reading.

By Mr. Robinson,

No. 75. A bill to amend an act to provide for the election of Prosecuting Attorneys by the people in the several counties;

Was read the first time, and passed to a second reading.

By Mr. McCarty,

No. 76. A bill for the improvement of highways;

Was read the first time, and passed to a second reading.

By Mr. Goodnow,

No. 77. A bill to incorporate the Madison and Brownstown Turnpike Company;

Was read the first time; and,

On motion by Mr. Goodnow,

The rules were suspended, and the bill read a second time and referred to the committee on corporations.

By Mr. James,

No. 78. A bill to amend the first article, chapter sixteen, of Revised Statutes of 1843, and for other purposes;

Was read the first time, and passed to a second reading.

The following message was received from the House of Representatives, by Mr. Ward their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate, that the House have adopted the following resolution:

Resolved, That the committee on military affairs be requested to report a bill, re-organizing the militia at as early a day as practicable, and that the clerk of this House be authorized to call on the

Senate for the militia bill of last session, now on the files of the Senate.

Mr. Marsh moved to lay the message on the table.
The ayes and nays were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Coates, Conduit, Ellis, Hardin, Holloway, Marsh, Murphy, Orth, Osborn, Randall, Simpson, Stewart, Taber and Verbrike—16.

Those who voted in the negative are,

Messrs. Berry, Cassatt, Chenowith, Cornett, Day, English, Goodnow, Green, Hamrick, Handy, Henry, Howel, Houghton, Hubbard, Huffstetter, James, Malott, McCarty, Miller, Milligan, Millikin, Montgomery, Morrison, Murray, Read, Robinson, Waters, and Zenor—28.

The message was not laid on the table.
The Senate adjourned until two o'clock, P. M.

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2 o'clock, P. M.

The Senate assembled.

Mr. Millikin offered the following resolution:

Resolved, That when the Senate adjourns, it will adjourn until Thursday next, at 9 o'clock.

Which was adopted.
By Mr. Howell,
No. 80. A joint resolution requesting the Governor of the State of Indiana to present a sword to Gen. Joseph Lane;
Was read the first time, and the rules suspended, and the joint resolution read a second time; when
Mr. Cassatt offered the following amendment:
After the word Lane, insert Generals Taylor and Wool.
Which amendment was laid on the table.
The rules were suspended, and the joint resolution read a third time, and passed unanimously.

Ordered, That the Secretary inform the House thereof.

Leave being granted,

Mr. Randall made the following report, from the committee on the judiciary:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred Senate bill No. 55, creating the Tippecanoe court of common pleas, and defining its jurisdiction, have had the same under consideration, and have directed me to report it back without amendment, and unanimously recommend its passage.

F. P. RANDALL.

Which bill was read a second time, and,
On motion by Mr. Orth,
The rules were suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Robinson moved to reconsider the vote awarding Gen. Lane a sword.
Pending which,
The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have adopted the following resolution:

Resolved, That the Senate be invited to attend instanter in the Hall of the House, to hear the annual message of His Excellency, the Governor, to the present General Assembly, and that seats be provided for them on the right of the Speaker's chair.

The Senate then repaired to the Hall of the House of Representatives, where the following communication was made to the two Houses, by His Excellency, the Governor:

Gentlemen of the Senate and of the
House of Representatives:

Having convened for the performance of the important duties committed to your charge, by the people of the State, it becomes my duty (a duty, which, it is regretted, I was prevented from performing previous to your late adjournment, by severe bodily injury, the result of a recent accident,) to communicate to you the condition of the Commonwealth, and to suggest such measures as may seem to be demanded for the preservation and increase of the public welfare.

In doing so, it affords me a heartfelt pleasure to congratulate you upon the general prosperity which has prevailed within our borders during the past year. We have enjoyed the blessings of health in an unusual degree; the supremacy of the laws have been maintained, and the labor of the husbandman has been bountifully rewarded by luxuriant crops, which he has been enabled to dispose of at liberal prices; thus giving a renewed impulse to businesss of every description. Evidences of great improvement in the condition of the people are every where visible. Our cities and towns are steadily increasing in wealth and population, and the primeval forests, which still cover a large portion of the country, are rapidly disappearing to give place to the rich products which are drawn by the hands of industry from a generous and fertile soil. For these, and the numberless other advantages we enjoy, we owe unbounded gratitude to God, in whose hands are the destinies of nations, who has placed us in a land of religion, liberty, and plenty; thus enabling us to advance our moral and social condition, and to acquire that political and physical independence from which so large a proportion of the human family is debarred. It becomes us, therefore, to acknowledge His goodness with suitable reverence, and to invoke a continuance of his blessings upon our beloved country, and upon our efforts to discharge with fidelity the trusts which have been committed to us. The increased prosperity of the country, I cannot but think, is, under Divine Providence, in a great measure to be attributed to a wise change in the policy of the General Government of the Union with regard to our commerce with foreign nations. The repeal of the high tariff of 1842, and the adoption of a more liberal system of duties by the act of 1846, has not only had the effect of producing an increase of revenue to the national treasury, but an increase of profits to the agriculturists. This class of our fellow-citizens, constituting the main foundation of our national wealth and prosperity, has, by means of diminished duties on commerce at home and abroad, been enabled to find a market for a greater proportion of their surplus products than they could otherwise have disposed of to advantage. Making every allowance for any influence on prices which may have been produced by a season of unusual scarcity in Europe, yet, when we consider that how great soever may be the necessity of the people of other countries, their ability to purchase food from us is limited by their ability to pay for it by the produce of their own labor, it is evident that every restriction which prevents us from receiving such produce in return must reduce the quantity or value of that which they receive from us. Happily for all parties, for the over-producer of our own country, as well as the starving consumer abroad, upon the occurrence of a general failure of the crops in Europe in 1846, the restrictions which had formerly existed were in a great measure removed, and we were prepared to reap the full benefit of the increased demand thus created.

It is to be remarked, also, that while those engaged in the culti-

vation of our soil have been so greatly benefitted by the opening of a foreign market, the manufacturing and commercial classes have enjoyed at least their full share of the common prosperity. The great increase of manufactories, and of manufacturing and commercial capital since the passage of the comparatively low tariff of 1846, proves that these interests are in a most flourishing condition. In fact, the agricultural interest so greatly predominates in this country, that most others are in a great degree dependent upon it, and must to some extent flourish or languish, as that becomes prosperous or depressed. Indiana is especially an agricultural State, and it is of the utmost importance to our citizens that the sound and enlightened policy of low duties or a revenue tariff — of striking off all restrictions upon trade not required by the wants of the public treasury economically administered — should continue to be maintained. Many of our fellow-citizens, who entertained serious apprehensions that the establishment of this policy would be fraught with great evil, if not with ruin to most of our leading interests, are doubtless gratified to find at length that their apprehensions were not only without foundations, but that the very reverse is true. It affords me still greater pleasure to be able to remark, that the present increase of prosperity, appears to be founded, at least to a far greater extent than heretofore, upon a solid and substantial basis. It was not brought about as formerly by a wild and extravagant spirit of speculation, nor by a similar expansion of currency, but mainly by the gradual and wholesome operations of a profitable trade, confined within its legitimate channels. There is now no great banking institution under national authority, overshadowing all the other monetary institutions of the country, capable of wielding an almost irresistable political power, and able by means of a vast capital and the control of the national treasury itself, to contract or expand the amount of currency in circulation throuhout the entire country, and consequently to cause the prices of every kind of property to rise or fall as it might supply or withdraw the means of payment. Since the existence of the last institution of the kind in the United States more than ten years have elapsed, and more than six since its gigantic substitute under the same name, created by the Legislature of a sister State, ceased its operations as a bank of circulation. The whole country since their extinction has been steadily advancing from adversity to prosperity, and our subsequent experience, has, it is believed, been long enough to settle the so much agitated question, how far such an institution is necessary to the trade, the productiveness, the enterprise, or the general welfare of the country. The constitutional treasury by which the collection and disbursement of the national revenue are entirely disconnected from banking operations, has been in full operation more than twelve months. Yet the inconveniences which many, no doubt, honestly apprehended, from the absence of a national bank and the establishment of an independent treasury, have not been experienced. On the contrary, during the time which has elapsed since

its establishment, the largely increased disbursements rendered necessary by the existing war, have been made through its agency at various and distant points, without loss and with the requisite ease and promptitude.

A far greater amount of gold and silver is infused into all the channels of our circulation, than at any former period of the history of our country. Exchanges upon all points are uniform, cheap and readily to be obtained, and in these respects they favorably contrast, it is believed, with those of any time during the sway of a Bank of the United States. They are not based upon ficticious movements of bank credit, but on the true and only sound principle upon which they can be well regulated, namely, upon actual business transactions between different sections of the country. When it is considered that during the experimental operation of these leading measures of national policy, it has been their lot to encounter the adverse influences of a foreign war, which cannot fail more or less to affect the trade, and resources of a country, their intrinsic merits and the wisdom of their adoption must be still more manifest. In fine, every thing indicates that the present appearance of financial improvement throughout the country, is no illusion, and that a fair promise is afforded, of its being substantial and permanent.

Nevertheless it should be remembered that when the tide of prosperity is swelling to its greatest height there is the greatest need of caution. The irrepressible energy and love of enterprise of the American people, are apt to induce them, when fired with success, to overleap the bounds of prudence; and fall into extravagant and ruinous speculations. The sure, and only sure remedy against this threatening evil, is, the observance of economy and industry, and above all, *to resist the allurements of credit*. Occasion was taken in former communications to express my serious convictions that the observance of this caution is essential to the continuance of our welfare and prosperity. Impelled by a filial regard for the State which is the seat of my home and my attachments, and which has laid me under deep and renewed obligations, I cannot omit in this crisis of our affairs, to once more caution my fellow citizens against a practice which experience has proven to be fraught with ruin.

It is earnestly to be hoped that while they industriously and vigorously improve the advantages that are now within their reach, they will be sufficiently careful to avoid the evils into which they have fallen from this cause on former occasions.

The present war with Mexico is deeply to be regretted, inasmuch as the consequences of a resort to arms, are at all times seriously to be deplored, and more especially by a people blessed with a government and institutions like ours. Nevertheless, the Congress of the United States, vested by the Constitution with the appropriate power, having declared, by a vote nearly approaching to unanimity, that war exists, and by the act of Mexico, it becomes us as American citizens, to uphold the rights, the honor, and the law of our common country, at all hazards and in every emergency. The history of our race has but too lamentably proved, that how great soever may be its desire, peace is not in the power of any nation. Unless the pacific spirit and policy of one power, is met by a corresponding spirit on the part of others, the question in dispute is left in the last resort, to the arbitrament of the sword. Few instances, it is believed, are to be found on the page of history, of a war more justifiable, *by the laws of nations*, so far as the United States are concerned, than that in which they are now engaged with Mexico. Passing by a long series of aggressions, running back into the year 1821, which was the first of her asserted independence, against the persons and property of our citizens, for which reparation was promised by its accredited agents, only to be followed by disappointment—passing by the patience and long suffering of our own government, under the last six administrations, Mexico at last brought on the war, by striking the first blow, and shedding the first blood.

Nor can it be successfully maintained, that the advance of our troops beyond the Nueces, was the real cause of the war, when it is considered that long before that advance, Mexico had distinctly and repeatedly taken the ground, through her Minister at Washington, her government at home, and her Generals in the field, that the annexation of Texas was the true cause and origin of the war which has ensued.

Before the advance of our troops, too, it was repeatedly and formally published by different commanders of the Mexican armies, that their object and mission, was to conquer and wrest from our possession, one of the States of this Union—a State which had been made such, with the due solemnities of law, and that too, from territory acquired before the present administration of our government, came into power. This war then, it is true, was a war of conquest, but it was so on the part of Mexico. Such certainly is the fact, if any faith is to be placed in the solemn declarations of a nation, made through its authorized functionaries, and followed up by corresponding action. It is demonstrable, then, that the war was brought about by the unjustifiable acts and aggressions of the Mexican government; for it is assumed as a position that is incontrovertible, that whatever differences of opinion may have existed in our own country, as to the mere policy or expediency of the acquisition of Texas, so far as the United States were concerned, yet that Mexico had no reason to complain of that measure. That territory was, at the time, both by right and in fact, as independent of the control of Mexico, as was Mexico herself of the crown of Spain, against which she had also previously rebelled, and it was so recognized by the principal nations of the civilized world. Under these circumstances, to have been deterred from doing an act not improper in itself, clearly justified by the laws of nations, and called for by the unanimous voice of those interested, by the threats of a party who was not entitled to interfere, would have invited further aggression from the same quarter, and lowered the character of our country, in the es-

timation of all other nations. In the progress of the war thus forced upon us, far from being actuated by a mere spirit of conquest or of rapine, the olive branch has been uniformly borne in advance, and the cruelty and faithlessness of an insidious foe, have been met on the part of our troops generally, with a forbearance, a kindness, and a magnanimity rarely equalled. We have desired only to maintain the national dignity and honor, and to secure such results as would afford some guaranty for a peaceful conduct of an arrogant and faithless race for the future, and a full and just indemnity far the past. Being engaged in the war, humanity itself would seem to require its energetic prosecution, as well for the purpose of saving the effusion of blood by bringing it to a speedy close, as to inspire that and other powers with such a respect for our prowess, as will for a long period, it is hoped, save us from the necessity of again having recourse to arms.

That the indemnity to which we are entitled, should consist of territory, is manifest, in view of the crippled resources and exhausted revenues of Mexico, the instability of her government, the revolutionary character of her people, her fickleness in relation to her past monied engagements, as well as from her immense nominal possessions, which lie conterminous with our western boundaries, which to a great extent, are unreclaimed from the hand of nature, and uninhabited, and which in the hands of the present possessors, are likely to remain so for an indefinite period. And while such an indemnity will, it is believed, best comport with the interests and the ability of Mexico, it is the most desirable for the United States. Our numbers, which increase at a rate to which the history of the world scarcely affords a parallel, and the unequalled enterprise and industry of our people, will soon require additional lands for their accommodation.

The citizens of this State have not only responded to every call that has been made upon them by the general government for aid and assistance, but they have tendered the services of many additional companies, which could not be accepted. The three regiments of volunteers, which were raised during the year 1846, have returned home with honor, after having seen much arduous service. Owing to some misapprehensions or misrepresentations of the facts, much injustice was done to one of those regiments in the accounts which were first published of the brilliant victory of Buena Vista. Since then, however, public opinion has been set right upon that point, and it is now universally acknowledged that no troops upon the field contributed more bravely and effectively in deciding the fate of the day against greatly superior numbers, than the two regiments of volunteers from this State, which had the good fortune to be present. Besides several companies of regulars, chiefly raised in this State during the last two years, two other regiments of volunteers have, in the last summer and autumn, departed for the field of action; the details, as to which are contained in the accompanying report of the Adjutant General. I cannot too strongly recommend to your attention the careful preservation of the rights and privileges of the brave men who are thus absent in the service of their country. In every constitutional measure, having for its object such protection or extension of their political or personal rights, as the circumstances may seem to demand, or to evince the gratitude so justly due them from the State, for their services and sacrifices, I assure you of my thorough co-operation.

The ordinary expenses of the State Government for the fiscal year ending on the 31st of October last were $90,762 67.

The ordinary expenses for the year 1848, are estimated by the Auditor in his report at the present session at $71,900.

The number of polls returned for 1847, (estimating for the counties of Cass, Crawford, Jefferson, Lake, Pulaski and Wells, from which returns have not been received, as being only the same as last year,) are $129,857, being an increase of 2,762, over that of the preceding year.

The value of the entire taxable property returned for 1847, (estimated in like manner for the same counties) is $124,558,060, being an increase of $1,908,506 00, over that of last year.

The amount of revenue paid into the State treasury during the last fiscal year, including some previous arrearages, is $362,347,07, being $68,486,07, more than was paid in during the previous fiscal year.

The assessment for 1847 is, for State purposes, $450,674,77, and for county, township, road and school purposes collectively, $562,-671,20.

Add to these sums the delinquencies of former years, $127,258,47, and the total amount of the duplicates for 1847, is $1,100,604,44.

A slight examination of our present revenue system, will be sufficient to demonstrate its great susceptibility of improvement.—Under its workings, it is quite manifest that a large amount of the invisible wealth of the community, such as corporation and other stocks, cash on hand or at interest, and the more portable and valuable kinds of personal property &c., is not found on the assessment rolls. This description of taxables is generally owned by those who are the best able to pay and their non-assessment leaves the burden of taxation so much the heavier on property which is visible, and especially on lands, which cannot escape notice and scrutiny, and which the true policy of our State requires, should not be visited with disfavor. The assessment sheets of 1847 as compared with those of 1846, show a decrease on personal property, in some counties, of $20,000, in one county of $40,000, in another of $50,000, and in another of $75,000. The Auditor of State has presented some further facts and reflections, in relation to the present mode of assessment at the close of his report made at the present session, to which your attention is invited. Although careful and elaborate legislation is probably necessary to make the system such as it ought to be, yet it is believed that very little labor will be found

sufficient to remove its most glaring evils, and the subject is recommended to your early consideration.

By an act of Congress to establish a uniform time of holding elections for electors of President and Vice President in all the States of the Union, approved January 23, 1845, it is provided that the electors shall be appointed in each State on the Tuesday next after the first Monday in the month of November of the year, in which they are to be appointed. As the day for holding such elections heretofore in this State, has been on the first Monday in November of each year, and as by the existing State laws, the returns of the same from the several townships are required to be delivered to the proper clerk of the circuit court on the following Wednesday, the postponement of the time of delivery of such returns until the Thursday after the election is respectfully recommended in order that the same time may be afforded for making the returns under the present, as was allowed under the former law.

By the present law too, the Governor is required to transmit to the electors, certificates of their election, by the hands of the marshals or of special messengers. From motives of economy, it is presumed that the marshals will always be employed in the transmission, unless in cases of emergency. If they are so employed, it is desirable that the Legislature should settle the mooted question, whether they should receive any compensation for that service, in addition to that which the present law gives them for travelling and returning, over nearly or quite the same ground in making their returns to the Secretary of State. And if it should become necessary to employ one or more special messengers for the performance of that service, some provision should also be made by law, settling the amount, and pointing out the mode of their compensation.

By reference to the Auditor's report, it appears that the principal of the late suspended debt of Indiana now amounts (or rather, at the commencement of the operations under its late arrangement, it did amount) to $11,065,000, in the shape of outstanding bonds. On this amount no interest had been paid, (until that arrangement,) since in the year 1841, when the credit of the State was prostrated. The amount of the annual interest on that debt is over half a million of dollars, [$554,770,] payable half yearly. This debt, large in itself, was therefore increasing at a rapid and fearful rate, and in view of that and of our limited resources, many of our best citizens, involved in despair, and anxious to leave their property unincumbered to their children, were sacrificing their homes for far less than their value, and leaving the State. The same causes were preventing men of capital and industry from coming among us, to purchase property, improve the country and add to our wealth. All this, it is evident, had a tendency to increase the gloom and despondency that pervaded our business affairs generally, and to diminish the ability of the people, (the great mass of whom were also involved in debt,) to meet their individual engagements. Add to these considerations the example already set by other indebted States

in resuming payment of their obligations, and it is not surprising that a general anxiety should have existed in Indiana, that its character, if possible, should also be vindicated.

The great obstacle that presented itself to so desirable a result, was the great disparity between the amount of the debt, and the ability of the State for its discharge by means of taxation. It was under this conviction, generally, if not universally entertained, that I favored the principle of disposing of the profits of the Wabash and Erie Canal, in satisfaction of so large a portion of the debt, as to leave the balance within the ability of the State to pay from the treasury, as the only practicable means left the State whereby to avoid the evils enumerated, and to wipe off the reproach of repudiation; and I earnestly recommended that the proposition should be respectfully considered, in the hope that it might eventuate in an arrangement honorable to the State and satisfactory to its creditors. The result was, the passage at the same session, of the bill, which received my approval on the 19th of January, 1846, to provide for the funded debt of the State, and for the completion of the Wabash and Erie Canal to Evansville.

Early in the following July, a letter was addressed to my department, on the part of the committee of bondholders, (under whose authority the proposition had been made, which had resulted in the passage of the bill referred to,) enclosing resolutions adopted by the committee, in which an opinion was expressed, favorable to the principle of that bill, namely, "the payment of one-half of the principal and interest by taxation, and the other half by the property and tolls of the canal, from the State line adjoining Ohio, to Evansville; such property to be assigned to three trustees, and the State to be freed from responsibility on that portion of the debt and interest so to be secured."

In my next annual message, that of last session, in communicating the fact that the principle of the arrangement offered by the bill, had received the assent of the committee, occasion was taken to state that within the sphere of my own observation, and so far as my information extended, the expression of the great majority of our own citizens was also decidedly in its favor. It was further stated that the bondholders desired some modifications of the bill by the legislature, which, I was informed, would not conflict with the principle of the bill, and yet were deemed essential for carrying into full effect its fair and obvious intent, and that any such modifications, if they added nothing to the burthens of the people, would, it was believed, be responsive to their will, and it was also trusted, would receive the favorable action of the legislature.

The action on the proposed modifications resulted in the passage of the supplementary bill which received my approval, January 27, 1847. Both of these bills contemplated that on the surrender of any of the State bonds, they should be cancelled, and new certificates issued to the holders in lieu of them, and that only one-half of the interest due on them, (which, is fixed at the uniform rate of five

per cent. per annum,) should be paid from the treasury, and the other half exclusively from the profits of the canal. Both of the bills also contemplated that the bondholders who should come into the arrangement should finish the canal to Evansville at their own expense, aided by the proceeds of the lands, &c., which were granted to the State for that purpose, and they were to look to the profits of the canal alone, to repay them the cost of its construction and management.

But while the original bill gave the State the option of *afterwards* throwing one-half of the *principal* also, upon the canal for payment, by the supplementary bill, (and consequeutly, by the law as it now stands,) that object is at once effected, by one half of the surrendered debt, both principal and interest, resting exclusively upon the canal for payment, the State being released from all further responsibility in relation to it. The great and leading principle, therefore, of the first bill, namely, the satisfying of one-half of the surrendered debt from the canal, remains unchanged, nor does the supplementary bill involve the State any further in debt. The main difference be tween the bills consists in the latter giving to the bondholders, who should finish the canal, a *priority* in the payment of their claims and expenses of its construction, out of the tolls and profits, over those who would not join in its construction.

The latter class, however, by surrendering their bonds, would still have the interest on one-half of their debt, (equal to two and a-half per cent. on the whole,) satisfied from the treasury, as in the case of the others, and they would also be paid in whole or in part, the interest on the other half, from the profits of the canal, if any remained after paying those entitled to a priority, as before stated. Even if they receive nothing from the canal, therefore, the amount of the interest paid to them, by their acceding to the present arrangement, would be only one-sixth less than they would have received under the rival plan introduced into the Legislature, which proposed to give them but three of the five per cent. which their bonds called for. By the rival plan, too, the canal would not have been finished, as the credit of the State was broken down and she could hardly have been expected to construct it with only the lands granted by Congress for that purpose. This munificent grant, then amounting to about 800,000 acres of land, would, in that case, by the terms of the grant, have reverted to the United States, and thus have been forever lost to Indiana.

By the supplementary bill, all bondholders were allowed to subscribe towards the completion of the canal, until to as late a period as the first of November last, and to surrender their bonds at any time before the first of the following month. It was also provided that unless the subscription towards the canal was made, and bonds to the amount of $4,000,000 principal, surrendered by the times limited in the bill for those purposes respectively, the arrangement should cease and be void. Apprehensions were expressed on the

part of some, opposed to the measure, that a comparatively few wealthy persons controlling bonds to that (or a little larger) amount, would get possession of the canal, to the exclusion of the residue of the bondholders, who, on account of their supposed poverty, would be unable to pay their quota towards completing it, and by reason of the priorities already spoken of, be excluded from any share in its profits. The objection was not that the bill of the last session imposed any greater burdens upon the people of the State, than did the bill of the previous session, (for there was no pretext for that,) but that one part of our creditors would be benefited by it more than others, and that a large portion of them being unable to come into the arrangement, their claims would thus be virtually repudiated. The fear indeed was expressed by some, that but one-half of our debt would be brought in, (being $5,545,000 of principal, with the interest,) that amount only being necessary, before the deed of trust for the canal and its appurtenances should be finally executed. The right to priority of payment, however, seems in practice to have produced an effect precisely the reverse of that apprehended by some, namely, the rapid surrender of a heavy amount of bonds, in the hope of benefiting by the priority; while as to the first bill, which did not contain the clause in question, not a bondholder would accept of its provisions.

It is now cause of congratulation with all to find that at our last advices more than $9,000,000 of bonds, exclusive of interest, had already been cancelled under the arrangement. I was also informed at the commencement of the present session, by the trustee residing in New York, that when he left that city, he had information that the surrender to the amount of about half a million more, was shortly expected, and hopes are entertained that the bulk of the remainder will finally come into the measure.

Having been satisfied that the requisite number of bonds had been surrendered to the Agent of State, for exchange and cancellation, and that the proper amount had been paid over towards the construction of the canal, the deed of conveyance, bearing date the 31st day of July last, was duly executed to the trustees, as required by the 9th section of the supplementary bill, and consequently the original bill, as modified by that, is in full force and operation.

Whatever difference of opinion may have existed heretofore, in relation to this measure, it is confidently hoped, that now, as the law of the land, and closely connected as it is with the character and prosperity of the State, and of its citizens, it will receive, as in my judgment, it justly merits, the support of all, and that nothing will be done or omitted, which may be calculated in the least to violate good faith or to impair the efficiency of the arrangement.

The first half yearly interest required by the law, was promptly paid on the 1st day of July last, and although it was found necessary for the Legislature, at their present session to authorize a loan of the amount of the interest due on the first day of January, yet that was not because the present rate of taxation is not sufficient

to comply with the new arrangement, (for it is deemed amply sufficient) but because the revenue is not required by the existing law to be paid into the treasury until the fourth Monday of February, and hence it became necessary, to merely anticipate the revenue by the law in question. It is respectfully recommended to your early consideration, to adopt some permanent measure for providing for any such temporary embarrasement in future.

The final arrangement of our public debt cannot fail to exercise a favorable influence upon the property, the morals, and the character of the State, and is the cause of heartfelt congratulation with all. We have suffered much through past improvidence, may we never neglect the lessons it has taught us.

Let no debt be incurred hereafter unless in case of the most imperative necessity, and not then except provision be at the same time made to pay the interest, and for the final extinguishment of the principal. Few will be found hardy enough to advocate another general system of improvements. But the danger lies in commencing one by degrees. If a favor is granted to one section of the State it gives rise to demands from another, and finally there is imminent danger of irresistible commbinations of interests for the prosecution of a number of works, neither of which could find favor alone. As a general rule such works are far better left to individual enterprise, under the great law of supply and demand. Already we have a large amount of capital in the country with the prospect of its progressive increase. The inducements for its investment in works of this character, are very great, and the only apprehension that now need be felt is, that sufficient care will not be taken in the chartering of companies for their construction, to protect the rights of the public. If capitalists would not be justified in risking their means in the construction of a particular work or works, the State now just emerging from insolvency, should not be required to do so. The level surface and fertile soil of Indiana, offer great inducements for the construction of Rail Roads with a view to profit, and the most profitable because the most needed, will be first undertaken. When constructed by private or associated means, there is less extravagance, and less danger of the faithlessness of agents, than if they are constructed by the State.

In discussing this topic, I beg once more to recommend the most rigid economy, now rendered, if possible, more desirable than ever.

Our faith is restored, and it must be preserved. Let the resolve of every heart be that it shall be preserved.

Occasions frequently arise for making requisitions upon the Executives of other States and Territories, for fugitives from the justice of this State, and provision is made by the existing law, that all expenses incurred in their recapture, "if the Governor shall allow the same, shall be paid out of the moneys appropriated by the General Assembly for such purposes." As no such appropriation has ever been made, the law has remained a dead letter, and the custom has been to make the required allowance in the specific appropriation bills. By this omission, not only has there been a delay of the payment for the services and expenses of the agent, but in the absence of correct information, the treasury is exposed to the danger of exorbitant claims. A standing appropriation of small amount, would be sufficient for this purpose, and the adoption of a rule requiring a satisfactory verification of all claims for such services and expenses, before the same shall be allowed, will serve the cause alike of justice and economy.

The views and recommendations contained in the accompanying report of the Adjutant General, will doubtless receive at your hands that attention and consideration to which they are entitled. The commendation bestowed upon this officer in my last annual message, in relation to the discharge of his duties during that year, has been fully merited by the zeal, fidelity and promptitude with which he has performed those of the present year, varied and laborious as they have been. The nature, extent and value of these services, can better be ascertained from the report itself, and I suggest the justice and propriety of making him an additional compensation for the same.

It will be seen from the report of the Quarter Master General, also submitted, that that officer has been engaged, since your last session, with characteristic energy and faithfulness, in the collection and repair of the public arms, which had been lost and scattered in various parts of the State, besides attending to their reception, preservation and distribution. The increase in his correspondence, and in the regular duties of his office, also merit, in my judgement, a further compensation.

Occasion has been repeatedly taken in my former messages, to allude to the great amount of our local or special legislation, the danger of injustice by its means to individual interests, its expense to the treasury, and the large portion of time it necessarily occupies to the detriment of that mature and thorough consideration which is due to subjects of a general character. It was also recommended that the necessary powers should by general laws be conferred upon other and more appropriate tribunals, to afford the necessary relief, sought by means of private acts. The subject has been deemed of so grave importance that the constitution of New York, as lately amended, has a provision against this evil engrafted in it.

I was therefore much gratified to find the attempt to obviate it in part, by the passage, at the last session, of the act to authorize the formation of voluntary associations, approved January 27, 1847. It is hoped that no bill will now be introduced into the Legislature for an object, the accomplishment of which can be secured by that act. It is not intended to say that the act is not susceptible of amendment; on the contrary, it is believed it might be made to have a wider scope, with advantage. But that or any other defect can be easily remedied.

It is earnestly recommended that, as far as practicable, the residue

of the broad field of private legislation be occupied by a few general laws.

Permit me, also, again to call to your favorable attention, the subject of giving justices of the peace exclusive jurisdiction of divers trivial offences, now punished by indictment in the Circuit courts, at great expense to the county, and operating, by means of costs and loss of time, as a disproportionate punishment to the individual. I also commend to your favorable regard the policy of establishing houses of Refuge, in districts embracing a sufficient number of counties for the purpose, for the punishment and moral discipline of female and juvenile delinquents; where they will be beyond the contagion of confirmed vice and hoary crime.

My reasons in favor of these measures are given to some extent in my last two annual messages, to which you are respectfully referred.

The steady and successful progress made on the part of our Benevolent Institutions, as will more fully appear from the annual reports in relation to them, is a subject of just congratulation.

The Asylum for the education of the Deaf and Dumb was commenced as a State Institution so late as the 1st of October, 1844, (although it had existed as a private school, with a few pupils, for about one year previously,) and it already numbers eighty pupils. This is understood to be a much larger number than is found in the institution of any other State, in proportion to population, although several of them have been established for more than a quarter of a century.

The Institute for the education of the Blind commenced its operations only on the first of October last, with nine pupils, which are now increased to twenty five, and several others are soon expected.

The erection of suitable buildings for each of these institutions, on the eligible sites already purchased for that purpose, is much needed. The financial condition of the State requires that while they should be comfortable, commodious and permanent, and so constructed as to be susceptible of such additions as may be required hereafter by an increase of pupils, without marring the general design and appearance, yet they should be in a style of simple elegance, without expense or a useless display of mere ornament.

It is gratifying to learn that the Hospital for the Insane will probably be so far constructed by the 1st of July next as to be ready for the reception of a few patients, at that time, and that the work will rapidly advance to entire completion. I cannot doubt that each of these institutions will continue to receive at your hands that aid and patronage to which they are so well entitled.

The people of Indiana deserve great credit, and they will doubtless receive the prayers and tearful thanks of many of these unfortunates, for the cheerfulness with which they have paid a specific tax, in a time of great adversity, for the establishment and support of these benevolent institutions; and it is hoped it will not be forgotten by those concerned, that the best return that can be made

in behalf of the inmates for this kindness, will be strict economy and fidelity in the expenses and management of the establishments.

The facts and suggestions contained in the accompanying report of the Visitor of the State Prison will commend themselves to your consideration. Since its preparation, it has been gratifying to learn that the convicts have been removed to the New Prison, which will operate much to the advantage of their health and comfort.

In this connection, and in view of the expected early completion of the Hospital, I beg to call your attention to the importance of providing by law, that whenever a person is acquitted of crime on the ground of insanity, and he is found by the jury yet to be insane, or whenever a convict becomes insane while in the State Prison, he shall forthwith be placed in the Hospital. The former should not be suffered to go at large at the peril of life and property in the community; the latter is not a proper subject of punishment, and both require that moral discipline and medical treatment which would be found in the Hospital, and which recent experiments have proved so frequently effective for the restoration of reason.

It is upon the intelligence and virtue of its citizens, the State must chiefly depend for their social elevation and happiness, for their just and equal participation in the advantages of an enlightened freedom, for the prosperity of our unrivalled institutions in their original purity and republican simplicity, and for that progressive reformation of abuses, and political amelioration, which are the result of independent thought and free inquiry. I am therefore much gratified to perceive the increased interest which has latterly been manifested by the people of this State, in relation to the important subject of education.

Our higher institutions for the instruction of youth in literature and science, are a source of just pride and of great usefulness to the State, and it is gratifying to believe that they have never been in a more flourishing condition than at present.

In relation to the far more important subject of common school education, it is much to be regretted that, at present, when the faith and credit of the State are in process of resuscitation, and its available means are urgently required to meet the engagements entered into with its creditors, as well as those occasioned by our benevolent institutions, we are unable by legislation, to afford such immediate and substantial aid, as in a more flourishing condition of the finances of the State would be more in accordance with our desires and with a sound and enlightened policy. Much however may be done it is hoped, towards the adoption of a system, to be more fully matured in future, which will increase the usefulness, the efficiency, and the amount of the present school funds, secure their faithful application, extend the benefits to be derived from them more equally and satisfactorily—and especially which will ensure a greater degree of uniformity and promptitude in the collection of school returns and other statistics bearing upon the question; which is almost a prerequisite to any prudent and useful legislation, upon a subject which has caused so great a diversity of judgment.

Pursuant to resolutions passed by both branches of the General Assembly at its last session, recommending the friends of common school education to meet in convention at Indianapolis on the 26th of May last, such a convention did assemble and three gentlemen were appointed to draft a bill for the purpose of remedying the defects complained of in the school laws now in force. These gentlemen have fulfilled the object of their appointment by preparing "a bill to provide for the improvement of common schools." From the source whence it originated, and the care and labor which have doubtless been bestowed upon it, it will no doubt receive a mature and attentive consideration at your hands. As by a provision of the bill, it will not go into operation until approved by a majority of the people, it will be proper in case of its passage, to publish and circulate it extensively, in order that every voter may have an opportunity of fully understanding its provisions before he is required to pass upon it, at the ballot box, on the second Monday of March next.

I am aware that I have touched upon several topics in my views as to which I shall not be so fortunate as to have the concurrence of a portion my fellow citizens;—topics too, which some may regard as of a national concernment only, and therefore as inappropriate. But it will, it is trusted be sufficient to say, that as the prevailing usage in this regard must have created a general expectation that some expression on my part would be made on the present occasion, in relation to these questions, silence would have given rise to misconstruction. Feeling it to be my duty to meet frankly every such expectation, believing these questions to be of wide and momentous bearing, and regarding the present crisis in our affairs as imminent, I have freely advanced such views and indicated such a course of policy, as are, in my judgment, most conducive to the prosperity of the people, and to the honor and character of the country. In doing so, however, it has been my wish to subserve the cause of truth, without wounding the feelings of any. The greatest advances in the onward tide of human improvement have taken place under free governments, and have mainly resulted from freedom of thought and of speech. Mere difference of opinion therefore, so far as it excites candid discussion, is promotive of the discovery of truth, and is far from being a subject of regret. But when the too usual, but by no means necessary attendants upon party divisions, passion and prejudices are found so far to prevail, as to estrange hearts that beat in unison upon other great questions of human concernment, to sever the ties and deaden the charities of social intercourse, and to blunt the perception of truth itself, it exhibits a mournful picture of human weakness, and is cause of deep sorrow to the citizen and to the patriot.

However we may differ in relation to such questions, let us not forget that there are many others appertaining to us as a State, and important to the prosperity and happiness of our fellow citizens, as to which it is hoped we can cordially agree and co-operate. To

this end, it becomes us to implore the aid of infinite wisdom, without whose favor all our attempts will be vain, that He will be pleased to smile upon our councils and to bless our efforts for the common welfare.

JAMES WHITCOMB.

Indianapolis, Jan. 11th, 1847.

The Senate then returned to their chamber, when Mr. Zenor moved to lay the motion to reconsider the vote on the joint resolution, awarding Gen. Lane a sword, on the table;

Which motion was decided in the negative.

The question then being on the motion to reconsider, was carried.

The vote was so reconsidered.

The question recurring on the adoption of the joint resolution,

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Berry, Cassatt, Chenowith, Coates, Cornett, Day, English, Ellis, Goodnow, Green, Hamrick, Handy, Hardin, Henry, Howell, Houghton, Hubbard, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Randall, Read, Robinson, Rosseau, Simpson, Stewart, Taber, Verbrike, Waters and Zenor—43.

Those who voted in the negative are,

Messrs. Conduit, Holloway and Winchell—3.

The joint resolution was passed.

Mr. Marsh announced the death of the Hon. Andrew Kennedy, and offered the following preamble and resolutions, which were adopted by unanimous consent:

Mr. President:

I have a sad, melancholy duty to perform, in announcing to this branch of the Legislature the death of my much esteemed friend, the Hon. Andrew Kennedy.

Surrounded, as is well known to this Honorable body, by the most appalling circumstances, dying of a disease at once the most direful, and most to be dreaded of *all* in the catalogue of weapons in the hands of the king of terrors; bound as I was by the most sacred obligations of my profession, and the ties of friendship, to administer to his necessities, and to save, if possible, from the grasp of the grave one of society's most stable pillars and chiefest ornaments, I feel myself called upon to endeavor to perpetuate his memory in this humble attempt to pay a last tribute to his many virtues.

Andrew Kennedy was a self-made man. From the humblest

walks of life he had risen to the highest honors which a discerning and enlightened constituency could confer upon one whom they considered to be both "honest and capable."

He was born in Montgomery county, Ohio, in A. D. 1810, and of course was about thirty-seven years of age. He has left to mourn his loss a wife, a father, and a numerous train of relatives and friends.

After his removal to this State his course was one of almost unparalleled success. At the age of nineteen we find him at the anvil unable to read or write. A few years later we see him at the bar, respected for his legal acquriements, and popular as an advocate. At length he was elected to the General Assembly of this State, and from that time on his career, although short, has been most brilliant, almost unrivalled in the rapidity of his advancement. From the Legislature he was raised to Congress, where he served three full terms with honor to himself and satisfaction to those who sent him. It was here that the hidden power of his genius displayed itself to the nation in those brilliant bursts of eloquence and patriotism which electrified his friends and charmed his political opponents.

Strictly partizan in his character, firm in what he believed to be the best interests of his country, expressing freely his opinions upon all subjects, yet few men than the deceased were more universally respected and beloved. His manners were mild, bland, and courteous. He never spoke evil of any one, and the breath of envy or malice never dared whisper any thing against his character or his deportment. He has moved in society an ornament to it, and has not left a single blot to mar the pure escutcheon of a blameless life and an untarnished reputation.

In politics, he had in early life embraced the democratic school. The truth of its principles had become a matter of deep and settled conviction with him; yet he had no party bigotry, no personal animosities towards his political opponents, and at all times spoke of those who differed from him without harshness or severity.

I who have known him well, and have had every opportunity of observing every phasis of his character, can with truth and propriety say, that a more harmless, upright, and honorable man cannot be found in this community. That he nourished no feelings of revenge, but, on the contrary, he was always ready to find some apology for those who had dealt with him disingenuously.

He was a man of active business habits, and of a robust, healthy constitution. He has been cut off in the vigor of his manhood, and in the full career of usefulness and honorable ambition by "the pestilence that walketh in darkness and destroyeth at noonday, at whose name men *pale* with fear, and turn their trembling steps away with loathing," and has been summoned into the presence of his Maker almost without warning, at a time when he least expected it, and when he had every prospect of a long life before him. To his widowed wife these sad tidings will be fraught with anguish

and horror unspeakable, and his aged father will long mourn the unhappy fate of his son.

His numerous personal friends, who have become attached to him by the strong ties of sympathy and fellowship will deeply lament the melancholy end of poor Kennedy, who has thus yielded up his life at the noontide of existence, away from his natural friends and protectors, but not altogether in a stranger land, for there were those about him who felt for him as for a brother, and it may be a source of consolation to his friends, wherever they may be found, to know that he had every attention and assistance which he could have had any where, and that he did not die as one without hope; he was deeply interested in his future welfare, and much of his time, during his last illness was spent in prayer and religious exercises, that he expressed himself as feeling reconciled to his God, through the atoning merits of a Savior's blood; that he was ready and prepared to die if so the Lord willed, and his last hours were cheered and comforted by the hope of the Christian, the glorious hope of a happy immortality beyond the grave.

Thus died Andrew Kennedy. This rising sun had scarcely approached its meridian brightness, when it s nk shrouded in the mists of darkness for ever. His manly form lies beneath the cold clods of earth; the silvery toned music of his eloquence is hushed in repose; the voice of patriotism and benevolence shall no more be heard from his clay cold lips, but the impress of his noble mind is yet among us, and the force of his example is still left to guide us in the paths of wisdom and honor.

What a glorious ending of so honorable a life! The man upon whom the world loved to heap its honors—who had shared his lot with the great and powerful of the land, meekly bowing at the feet of a crucified Savior, humbly confessing his faults and imploring pardon for his manifold transgressions against the Divine Nature. Yes, the man of mighty intellect and aspiring ambition was not ashamed to confess his need of Divine support as he passed through the gloomy valley of the shadow of death; and the last use he made of the faculties which God had given him, was to point his associates to the cross as the only sure refuge at the solemn hour "when soul to soul and dust to dust returns."

Mr. President, in view of the irreparable loss which community has sustained, I move the adoption of the following resolutions:

Resolved, That we receive with deep and unfeigned sorrow the melancholy intelligence of the death of the Hon. Andrew Kennedy, who expired of the Small Pox, at the Palmer House in this city, on the 31st December last; and that we recognise in his decease the loss to the citizens of this State and nation of one in whose heart concentred all the domestic and social virtues, and whose hand was ever open to the calls of charity and benevolence—in short, one every way deserving the respect and confidence of a free, enlightened, and virtuous public.

Resolved, That we deeply sympathize with his disconsolate widow and bereaved friends in the loss of the kindest of sons and best of husbands, the most doting and tender father, and the true, firm, and unwavering friend of the virtuous poor.

Resolved, That a copy of these proceedings be forwarded to the widow and father of the deceased.

Resolved, That as a further mark of respect for the deceased the Senate will now adjourn.

The Senate adjourned.

THURSDAY MORNING, JANUARY 13, 1847.

Senate assembled.

The journal of the preceding day was read.

The following message was received from the House of Representatives, by their clerk, Mr. Ward:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate without amendment:

No. 57. An act to provide for a special term of the probate court of Washington county, Indiana.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Berry,

A petition of John C. Gould, Joseph Kelley, and others, citizens of Brown county, on the subject of the general road law; which,

On motion by Mr. Berry,

Was referred to the committee on roads.

By Mr. Read,

A petition of the citizens of Jeffersonville, to amend the city charter; which,

On motion by Mr. Read,

Was referred to a select committee.

Senators Read, Davis, and Zenor were appointed said committee.

By Mr. Milligan,

A petition of sundry citizens of Jay county, on the subject of school fund of said county; which,

On motion by Mr. Milligan,

Was referred to the committee on education.

By Mr. Millikin,

A petition to repeal an act to vacate a certain street in the town of Lawrenceburg, approved January 26, 1847; which,

On motion by Mr. Millikin,

Was referred to the committee on roads.

By Mr. Marsh,

A petition of the citizens of Stuben county, relative to road tax on non-resident lands in said county; which,

On motion by Mr. Marsh,

Was referred to a select committee.

Senators Marsh, Randall, and Martin were appointed said committee.

By Mr. Handy,

A remonstrance of sundry citizens of Shelby county, in reference to attaching a part of Shelby county to Decatur county; which,

On motion by Mr. Handy,

Was laid on the table.

Mr. Robinson moved to suspend the rules and take from the table the petition and remonstrances of the citizens of Shelby county;

Which motion prevailed.

Mr. Robinson then moved to refer the petition and remonstrances to a select committee, with the following instructions:

To inquire into and report to the Senate all the facts connected with the whole subject, so as to enable the Senate to act with a full knowledge of all the facts;

Which was adopted.

Senators Robinson, Handy, Cornett, Barbour, and Stewart were appointed said committee.

By Mr. Hubbard,

A remonstrance of the citizens of Shelby and Rush counties, relative to vacating a certian road; which,

On motion by Mr. Hubbard,

Was laid on the table.

By Mr. Houghton,

A petition for a road from Ferdinand to Springville; which,

On motion by Mr. Houghton,

Was referred to a select committee.

Senators Houghton, Miller, and Malott were appointed said committee.

By Mr. Davis,

A petition of N. H. Cobb and others, in relation to certain school lands in Floyd county; which,

On motion by Mr. Davis,

Was referred to a select committee.

Senators Davis, Zenor, and Morrison were appointed said committee.

By Mr. Cornett,
A petition for a State road in Ripley county; which,
On motion by Mr. Cornett,
Was referred to the committee on roads.
By Mr. Randall,
Two petitions of sundry German citizens of Allen county, relative to the common school fund; which,
On motion by Mr. Randall,
Was referred to the committee on education.
By Mr. Stewart,
A petition of sundry German citizens of Marion county, relative to the common school fund; which,
On motion by Mr. Stewart,
Was referred to the committee on education.

The following message was received from the House, by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate without amendment:
No. 64. An act to postpone the sale of delinquent lands in Adams county.

By Mr. Waters,
A petition of the citizens of township twenty-five, in Carroll county, for the sale of school land; which,
On motion by Mr. Waters,
Was referred to a select committee.
Senators Waters, Taber, and Osborn were appointed said committee.
By Mr. Osborn,
A petition of E. Morrison and others, relative to a road in Laporte county; which,
On motion by Mr. Osborn,
Was referred to the committee on roads.
By Mr. Holloway,
A petition of the citizens of Franklin township, in Wayne county, on the subject of retailing intoxicating liquors; which,
On motion by Mr. Holloway,
Was referred to a select committee.
Senators Holloway, Simpson, and Murphey were appointed said committee.
By Mr. Holloway,
A petition from Joseph Holman, on the subject of his indebtedness to the school fund of Miami county; which,

On motion by Mr. Holloway,
Was referred to a select committee.
Senators Holloway, Simpson, and Murphy were appointed said committee.

The following reports were received from standing committees:

Mr. Morrison, chairman of the committee on finance, made the following report:

MR. PRESIDENT:

The committee on finance, to whom was referred a bill of the Senate No. 59, entitled "an act to protect the trust funds of the State," have had the same under consideration, and have directed me to report, that the several funds designated and known by the general title—"trust funds"—should be regarded by the General Assembly of the State of Indiana, as a sacred legacy, set apart for particular purposes, and to be guarded and watched over with a sleepless vigilence, lest they be diverted from their legitimate objects and squandered in ways not contemplated by the laws which have been enacted for their creation and preservation; that, in the opinion of the committee, the safety of these funds will be endangered, if they should be loaned on any of the securities prohibited by this bill.
In addition to many other instances of the difficulties and danger incident to the loaning of the trust funds in such securities, the committee would most respectfully call the attention of the Senate to the case of a loan of money, in 1839, from the sinking fund to the "Wabash Manual Labor College and Teacher's Seminary," at the instance, and the application of the college itself. This whole transaction is so familiar to the Senate, that a mere reference to it is considered to be all that is necessary.
Your committee being fully of the opinion that the safety of the trust funds of the State will be promoted and secured by the bill under consideration, have directed me to report the same back, without amendment, and respectfully recommend its passage.

Which bill was read the second time and ordered to a third reading.
Mr. Henry made the following report from the committee on the judiciary:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred a resolution instructing said committee "to inquire into the expediency of making it the duty of the Secretary of State * * * to act as Secretary of the Senate while organizing, and fix his compensation for the same,"

have unanimously instructed me to report the following bill, and recommend its passage :

No. 81. A bill in relation to the organization of the Senate and House of Representatives.

Which was read the first time.

On motion by Mr. Henry,

The rules were suspended and the bill read a second time.

Mr. Berry moved to amend by striking out three dollars per day ;

Which motion prevailed.

The rules being further suspended, the bill was read a third time and passed.

The secretary was ordered to inform the House thereof.

The following report from the committee on roads was made by Mr. Chenowith :

MR. PRESIDENT :

The committee on roads, to whom was referred the petition of Perrin Kent and sundry other citizens of Vermillion county, praying that a portion of a certain State road therein named be vacated, have, according to order, had that subject under consideration, and direct me to report the following bill, and recommend its passage :

No. 82. A bill to vacate a certain State road therein named.

Which was read the first time, and ordered to a second reading.

Mr. Hamrick made the following report from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the Senate No. 24, entitled a bill to incorporate the Montecello Hydraulic Company, have had the same under consideration, and a majority of said committee have instructed me to report the same back, with one amendment, and upon the adoption of which to recommend its passage.

Mr. Montgomery moved to lay the bill, and report upon the table;

Which motion prevailed.

Mr. Hardin made the following report from the committee on enrolled bills :

MR. PRESIDENT:

The committee on enrolled bills have compared bills of the Senate No. 8, 12, 15, 17, 26, and 46, with the original bills, and found them correctly enrolled.

Mr. Hardin made the following report from the committee on enrolled bills :

MR. PRESIDENT :

The committee on enrolled bills did this day present to the Governor, for his approval, bills of the Senate Nos. 12, 15, 17, 26, 46, and 64.

Mr. Goodnow made the following report from the committee on unfinished business :

MR. PRESIDENT :

The committee on unfinished business have directed me to report to the Senate the petition of sundry citizens of Orange, Lawrence, and Martin counties, asking a change in the location of the New Albany and Vincennes road, which petition was presented at the last session of the legislature, and not acted on for want of time, and ask its reference to the committee on canals and internal improvements.

Which report was concurred in by the the Senate.

REPORTS FROM SELECT COMMITTEES.

Mr. Murray made the following report from, a select committee :

MR. PRESIDENT :

The committee to whom was referred the petition of sundry citizens of Whitley county, praying to change the name of Springfield, in Whitley county, to the name of Cherryvalley, have had the same under consideration, and have directed me to report the following bill :

No. 83. A bill to change the name of the town of Springfield to that of Cherryvalley;

Which was read a first time and ordered to a second reading.

Mr. Randall made the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred the petition of M. Hidakin and others, in regard to the alley in the city of Fort Wayne, have had the same under consideration, and have directed me to report the accompanying bill, and recommend its passage:

No. 84. A bill for the relief of Michael Hedakin and others:

Which was read the first time and passed to a second reading.

Mr. Huffstetter made the following report from a select committee:

Mr. President:

The select committee to whom was referred the petition of Houston Miller and others, have had the same under consideration, and instructed me to report the following bill, and recommend its passage:

No. 85. A bill for the relief of Joseph Mathers;

Which was read the first time and ordered to a second reading.

Mr. Randall offered the following resolution:

Resolved, That two thousand copies of the Governor's message be printed in the English and five hundred in the German language for the use of the Senate.

Mr. Ellis offered the following amendment:

After the words "German language," insert—and that 150 copies copies be printed in the French language; also, that 500 copies of Washington's farewell address be printed, in the German, and 150 copies in the French language, to be printed with the German and French copies of the Governor's message.

Mr. Read offered the following amendment:

Provided, That said message and farewell address be printed and distributed, previous to the adjournment of the legislature.

Which amendments were adopted.

The question being on the adoption of the resolution as amended:

The ayes and nays being demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Cassatt, Coates, Day, English, Ellis, Green, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Orth, Osborn, Randall, Read, Rosseau, Simpson, Stewart, Taber, and Waters—31.

Those who voted in the negative are,

Messrs. Beard, Chenowith, Conduit, Cornett, Davis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Murray, Robinson, Verbrike, Walpole, Winchell, and Zenor—18.

So the resolution amended was adopted.

Mr. Berry offered the following resolution:

Resolved, That the committee on unfinished business be respectfully requested to report to the Senate, for its action, the bill of the last sesssion of the legislature, entitled an act to reorganize and regulate the militia of the State of Indiana.

The ayes and nays being demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Cassatt, Day, Davis, English, Green, Hamrick, Handy, Henry, Howell, Hubbard, Huffstetter, Malott, James, Martin, McCarty, Miller, Millikin, Montgomery, Morrison, Murray, Reay, Rousseau, Stewart, Waters, and Zenor.—27.

Those who voted in the negative are,

Messrs. Beard, Chenowith, Coats, Conduit, Cornett, Ellis, Goodnow, Hardin, Holloway, Houghton, Marsh, Murphy, Orth, Osborn, Randall, Robinson, Simpson, Taber, Verbrike, Walpole, Winchell. —21.

So the resolution was adopted.

The Senate adjourned until two o'clock P. M.

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2 o'clock, P. M.

The Senate assembled.

The following message was received from his Excellency, the Governor, by Mr. James M. Sleeth, his private Secretary:

Mr. President:

I am directed by his Excellency, the Governor, to inform the Senate that he did on this day approve and sign bill No. 64, entitled "an act to postpone the sale of delinquent lands in Adams county, and for other purposes," which originated in the Senate.

January 13, 1848.

Leave being granted,

Mr. Cassatt made the following report from a select committee.

MR. PRESIDENT:

The select committee to whom was referred the petition of Peter King, praying for authority to construct a mill dam across the Missisinewa river, have had that subject under consideration, and have directed me to report the following bill in accordance with the prayers of said petitioners:

No. 86. A bill authorizing Peter King to build a mill dam across the Mississinewa river, in Wabash county;

Was read the first time, and passed to a second reading,

The following resolution was offered by Mr. Stewart,

Resolved, That the committee on benevolent institutions be instructed to enquire into the expediency of establishing a department in the Deaf and Dumb Asylum for the purpose of learning the pupils some trade.

Which was adopted.

Mr. Milligan offered the following resolution:

Resolved, That the committee on finance be requested to inquire into the expediency and propriety of abolishing the office of county assessors, and creating the office of township assessors in stead thereof, with leave to report by bill or otherwise,

Which was referred to the committee on finance.

The previous order of business being suspended,

Mr. Ellis introduced,

No. 87. A bill changing the time of holding courts in the county of Knox;

Which was read the first time.

On motion by Mr. Ellis,

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Ellis introduced,

No. 88. A bill to amend the 118th section of article 7th, chapter 12 of the revised statutes, relative to the tax sales;

Which was read the first time, the rules being suspended, the bill was read a second time, and referred to the committee on judiciary.

Mr. Huffstetter introduced,

No. 89. A bill to incorporate the French Lick Steam Mill Company;

Which was read the first time.

On motion by Mr. Huffstetter,

The rules were suspended, the bill read a second time, and referred to the committee on corporations.

Mr. Ellis introduced,

No. 90. A bill to incorporate the Ohio and Mississippi Rail Road Company;

Which was read the first time.

On motion by Mr. Ellis,

The rules were suspended, the bill read a second time, and referred to a select committee.

Senators Ellis, Millikin, Cornett, Holloway, Hubbard, Barbour, Berry, English, Morrison, Houghton, Malott, Rousseau, and Henry were appointd said committee.

Mr. Millikin introduced,

No. 91. A bill to extend the time of collecting the taxes in Dearborn county;

Which was read the first time.

On motion by Mr. Millikin,

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Handy introduced,

No. 92. A bill to fix the time of holding Probate courts in Shelby county;

Which was read the first time.

On motion by Mr. Handy,

The rules were suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Mr. McCarty introduced,

No. 93. A bill to repeal an act to restrict the grand jury in Franklin county, to a limited time in their sessions;

Which was read the first time.

On motion by Mr. McCarty,

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Hardin introduced,

No. 94. A bill to amend the 10th chapter of the Revised Statutes of 1843, in relation to the duties of county Surveyors;

Which was read the first time.

On motion by Mr. Hardin,

The rules were suspended, the bill read a second time, and referred to the judiciary committee.

Mr. Orth introduced,

No. 95. A bill declaratory of the meaning of the 30th section of chapter 37, of the Revised Statutes of 1843;

Which was read the first time.

On motion by Mr. Orth,

The rules were suspended, the bill read a second time, and referred to the committee on the judiciary.

Mr. Berry offered the following resolution:

Resolved, That the Senate will, the House of Representatives concurring therein, proceed at 2 o'clock, P. M. to-morrow the 14th instant, to the election of a Trustee, on the part of the State, for the Wabash and Erie canal, and a Superintendent on the New Albany and Vincennes Turnpike Road, and that the House be informed of the adoption of this resolution.

Mr. Orth moved to amend by striking out so much of the regolution as relates to the election of a superintendent on the New Albany and Vincennes Turnpike road;

Which was adopted.

The resolution was then adopted as amended.

Mr. Orth offered the following resolution:

Resolved, That the committee on finance be instructed to enquire into the expediency of compelling tenants in dower to pay the taxes that may be assessed upon the property of which they are endowed.

Which was adopted.

Mr. Handy offered the following resolution:

Resolved, That the committee on roads be instructed to enquire into the expediency of so providing by law for repairing and keeping in repair cart ways as well as county and state roads;

Which was adopted.

Mr. Murray introduced the following joint resolution:

No. 96. A joint resolution relative to the Miami Indians;

Which was read the first time.

On motion by Mr. Murray,

The rules were suspended, the joint resolution read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Hardin made the following report of the committee on enrolled bills:

Mr. President:

The committee on enrolled bills have examined bill of the Senate No. 64, and compared it witn the original, and find it correctly enrolled.

BILLS INTRODUCED.

By Mr. Randall,

No. 97. A bill relative to the election of President and Vice President of the United States;

Was read the first time, and passed to a second reading.

On motion by Mr. Walpole,

The previous order of business was suspended, and the following message from the House taken up.

Mr. President:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill thereof:

No. 111. A bill to authorize the Auditor of State to subscribe for additional stock in the Madison and Indianapolis Railroad company;

In which the concurrence of the Senate is respectfully requested.

Which bill was read the first time, the rules suspended, and the bill read a second time, and referred to the committee on canals and internal improvements.

By Mr. Martin,

No. 98. A bill for the relief of the heirs of John Widney;

Which was read the first time, and the rules suspended, the bill read a second time; and,

On motion by Mr. Stewart,

It was referred to the judiciary committee.

By Mr. Stewart,

No. 99. A joint resolution relative to the admission of cadets into the West Point Military Academy;

Was read the first time and passed to a second reading.

By Mr. Murray,

No. 100. An act to amend the record of the town of Huntington;

Was read the first time; and,

On motion by Mr. Murray,

The rules were suspended, and the bill read a second time, and referred to the committee on the judiciary.

Leave being granted,

Mr. Millikin offered the following resolution:

Resolved, That the committee on finance be instructed to report a bill fixing the number of miles to each county in the State, on which mileage shall be allowed to members of the General Assembly;

Which was adopted.

Leave being granted,

Mr. Stewart offered the following resolution:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of vesting the power of appointing the assistant door keepers of the Senate and House, firemen of the committee rooms, and a woodman for each House, in the State Librarian, with leave to report by bill or otherwise.

Which,

On motion by Mr. English,

Was laid on the table.

By Mr. Martin,

No. 101. An act in reference to the county records of Lagrange county;

Was read the first time, and the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

By Mr. Conduit,

No. 102. A bill to amend the 12th chapter of article 11th of the Revised Statutes of 1843;

Was read the first time, and passed to a second reading.

By Mr. Stewart,

No. 103. A bill in relation to the suit of the Vincennes University against the State of Indiana;

Was read the first time; and,

On motion by Mr. Stewart,

The rules were suspended, the bill read a second time, and referred to the judiciary committee.

ORDERS OF THE DAY.

Bills on their third reading—

On motion by Mr. Orth,

The vote on the passage of Senate bill

No. 55. An act creating the Tippecanoe court of common pleas, and defining its jurisdiction,

Was reconsidered;

When the following amendment was offered by Mr. Orth:

Sec. 5. The judge of said court shall be allowed and paid an annually salary of one dollar, to commence from the time of his taking his oath of office; and to be paid out of the county Treasury of the county of Tippecanoe annually, and the said judge shall also be entitled to receive, and be paid as perquisites of his office, all the money's which may be collected and received by and under the provisions of the twenty ninth and thirtieth sections of this act. The judge of said court may, and it shall be lawful for him to practice as attorney, solicitor, or counsellor, in any and all other courts of this State, except said courts of common pleas.

Sec. 29. Strike out "Treasurer of said county," and insert "judge of said court." Strike out all the section after the word "therefor."

Which amendment was adopted.

The bill then passed as amended.

Ordered, That the Secretary inform the House thereof.

No. 22. A bill (of the Senate) to prohibit the retailing of spirituous liquors and wines in Henry township, Henry county, Indiana;

Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 63. A bill (of the Senate) to change the name of Lewis Myers to Lewis Myers Douglass.

Mr. Osborn moved to amend by striking out the second section;

Which amendment was adopted.

The bill was read a third time, and passed as amended.

Ordered, That the Secretary inform the House thereof.

No. 60. A bill (of the Senate) to incorporate the Greenbush Cemetery Association of Lafayette, Tippecanoe county;

Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Bills on their second reading.

No. 50. A bill (of the Senate) in relation to the county seminary of Tippecanoe county;

Was read a second time, and referred to the committee on education.

No. 52. A bill (of the Senate) to attach a part of the county of Shelby to the county of Decatur;

Was read a second time; and,

On motion by Mr. Handy,

Was laid on the table.

No. 54. A bill (of the Senate) to repeal the second section of an act to vacate certain alleys in the town of Bloomington;

Was read a second time, and pased to a third reading.

The Senate adjourned.

FRIDAY MORNING January 14, 1848.

Senate assembled.

The Journal of the preceding day was read.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Berry,

A petition of Thomas McCalla, William C. Foster, and four hun-

dred others, citizens of Monroe county; in relation to the right of way to construct a railroad from Cincinnati to St. Louis; which,

On motion by Mr. Berry,

Was referred to the same select committee, to which was referred the bill on the same subject.

By Mr. Marsh,

A petition of Hallam Waterhouse, for a divorce; which,

On motion by Mr. Marsh,

Was referred to the judiciary committee.

By Mr. Marsh,

A petition of J. B. Bassinger, for a divorce: which,

On motion by Mr. Marsh,

Was referred to the judiciary committee.

By Mr. Taber,

A petition for a charter to the Lake Michigan, Logansport, and Ohio river railroad company: which,

On motion by Mr. Taber,

Was referred to the committee on finances.

The following message was received from his Excellency the Governor, by Mr. James M. Sleeth, his private secretary.

Mr. President:

I am directed by his Excellency the Governor, to inform the Senate, that he did on yesterday, approve and sign the following bills:

No. 26. An act to amend an act entitled, "An Act for the benefit of the volunteers, for the Mexican War, and for the relief of county Treasurers;"

No. 15 An act prescribing the mode of selecting petit jurors in the county of Jay;

No. 17. An act to amend an act, entitled, "An Act to incorporate the Peru and Indianapolis railroad company;"

No. 12. An act to authorize the Secretary of State to send to the county of Allen an additional number of copies of the laws of the State;

No. 46. An act to fix the time of holding courts in the eighth judicial circuit;

All of which originated in the Senate.

By Mr. Marsh,

A petition of sundry citizens of Steuben county, for the repeal of the "stay laws;" which,

On motion by Mr. Marsh,

Was referred to the judiciary committee.

By Mr. Martin,

A petition to sell the county seminary, of LaGrange county; which,

On motion by Mr. Martin,

Was referred to a select committee.

Senators, Martin, Marsh, und Milligan were appointed said committee.

By Mr. Orth,

A petition from the president and trustees of the town of Lafayette; which,

On motion by Mr. Orth,

Was referred to a select committee.

Senators, Orth, Osborn, and Taber, were appointed said committee.

By. Mr. Orth,

A petition from the Wabash Fire Company; which,

On motion by Mr. Orth,

Was referred to the select committee, to which was referred the former petition.

By Mr. Orth,

A petition from the Tippecanoe Guards; which,

On motion by Mr. Orth,

Was referred to the same committee.

By Mr. Orth,

A petition for the location of a State road in Tippecanoe county; which,

On motion by Mr. Orth,

Was referred to the same committee.

By Mr. Morrison,

A petition of sundry citizens of Washington county, praying the reduction of the interest on the school fund.

Mr. Morrison moved to refer the petition to a select committee; Which motion did not prevail.

On motion by Mr. Henry,

The petition was referred to the committee on education.

Mr. Osborn made the following refort, from the committee on education.

Mr. President:

The committee on education to which was referred Senate bill No. 51, entitled, "a bill to incorporate the Madison Female College," have considered the same, and instructed me to report it back to the Senate, without amendment, and recommend its passage;

Which bill was read the second time; and,

On motion by Mr. Goodnow,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Millikin made the following report from the committee on canals, and internal improvements.

MR. PRESIDENT:

The committee on canals and internal improvements, to whom was referred bill of the House, No. 111, to authorize the Auditor of State to subscribe for additional stock in the Madison and Indianapolis railroad company, have had the same under consideration, and directed me to report the same back to the Senate for its action.

Mr. Barbour, moved to indefinitely postpone the bill;
The ayes and noes being demanded by two Senators:

Those who voted in the affirwative are,

Messrs. Barbour, Berry, Chenowith, Coats, Conduit, Day, English, Green, Hamrick, Handy, Hardin, Henry, Howell, Huffstetter, James, Malott, Marsh, Martin, Miller, Milligan, Morrison, Osborn, Randall, Robinson, Rousseau, Waters, Winchell, Zenor—28.

Those who voted in the negative are,

Messrs. Beard, Cornet, Ellis, Goodnow, Holloway, Houghton, Hubbard, McCarty, Millikin, Montgomery, Murphy, Murray, Orth, Read, Simpson, Stewart, Taber, Verbrike.—18

Which was decided in the affirmative.
So the bill was indefinitely postponed.
Mr. Read moved a call of the Senate;
Which motion did not prevail.
Mr. Barbour moved a reconsideration of the vote taken on the indefinite postponement of bill of the House No. 111.
The ayes and noes being demanded by two senators.

Those who voted in the affirmative are,

Messrs. Beard, Cornett, Ellis, Goodnow, Holloway, Houghton, Hubbard McCarty, Millikin, Montgomery, Murphy, Murray, Orth, Read, Simpson, Stewart, Taber, Verbrike—18.

Those who voted in the negative are,

Messrs. Barbour, Berry, Cassatt, Chenowith, Coats, Conduit, Day, English, Green, Hamrick, Handy, Hardin, Henry, Howell, Huffstetter, James, Malott, Marsh, Martin, Miller, Milligan, Morrison, Osborn, Randall, Robinson, Rousseau, Waters, Winchell, Zenor—29.

Which was decided in the negative.
So the vote was not reconsidered.
The following message was received from the House, by Mr. Ward their clerk;

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the Speaker of the House has signed the following enrolled bills of the Senate:
No. 19. An act to amend the charter of the city of New Albany.
No. 37. An act providing for a special term of the Probate court of Washington county, Indiana.
Which I am directed to bring to the Senate for the signature of the President thereof.

Which bills were signed by the President of the Senate.
Mr. Hardin made the following report from the committee on enrolled bills:

MR. PRESIDENT:

The committee on enrolled bills have compared bills of the Senate Nos. 19 and 57, with the originals, and find them correctly enrolled.

Mr. Robinson made the following report from the committee on claims:

MR. PRESIDENT:

The committee on claims to whom was referred the petition of Abraham Stipp, have, according to order examined into the claims of the petitioner, and find by the facts set forth in his petition, that the petitioner on the 5th day of October, in the year 1830, purchased two tracts of land of the commissioner of the Wabash and Erie canal, for the sum of $279 28, that on the 29th day of September 1331, the petitioner had paid on said two tracts of land, including interest, the sum of $96 28, that after the said 29th day of September 1831, the petitioner made no further payments on said two tracts of land, and they became forfeited to the State; that after the lands became forfeited to the State, the State on the 29th day of November 1834, sold said two tracts of land, to one James Saxon, for $400 00. The prayer of the petition is, that the State of Indiana refund to the petitioner the sum of $96 28, which he had paid on said land, before the same was forfeited to the State, with interest from the time he paid the same.
Your committee are of the opinion, that to allow said claim, would open a door for other applications of the same character, possessing no merit in the opinion of your committee, and which has only originated in the parties' own neglect. The petitioner purchased said two tracts of land with a full knowledge of all the facts, and with a full knowledge of the law, and by his own neg-

lect suffered said lands to forfeit and fall back to the State, and the State sold the same to the present holder, as she had a right to do; and your committee can see no good reason for granting the prayer of the petitioner; they have therefore directed me to report said petition back to the Senate, and recommend that it be laid on the table, and respectfully ask to be discharged from the further consideration of the same.

Which report was concurred in by the Senate.

Mr. Goodnow made the following report from the committee on unfinished business:

Mr. President:

The committee on unfinished business have directed me to report a bill of the last session of the Legislature, entitled, "an act to reorganize and regulate the militia of the State of Indiana," for the action of the Senate.

Mr. Ellis, moved to suspend the previous order of business, and take up the message of the House.

Pending which,

She Senate adjourned till 2 P. M.

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2 O'clock, P. M.

Senate assembled.

On motion by Mr. Stewart,

The previous order of business was suspended and the following message of the House taken up:

Mr. President:

I am directed by the House of Representatives to inform the Senate, that the House have refused to concur in the engrossed amendment of the Senate to engrossed bill of the House.

No. 87. An act fixing the time of holding circuit courts in the county of Marion, and for other purposes.

Mr. Stewart moved that the Senate insist on the engrossed amendment of the Senate, to bill of the House No. 87.

Which motion prevailed.

Mr. Stewart ordered to inform the House thereof.

Mr. Murphy moved a call of the Senate;

Which motion did not prevail.

Mr. Berry moved to give the clerk of the House, in accordance with the resolution of the House, the Military bill on the files of the Senate;

Which motion prevailed.

The following report was made by Mr. Cassatt, from a select committee:

Mr. President:

The select committee to which was referred the petition of Thomas Ruble asking authority to construct a mill dam across the Mississinewa river, have had that subject under consideration, and directed me to report the following bill, and recommend its passage.

No. 194. A bill to authorize Thomas Ruble, to build a mill dam across the Mississinewa river;

Which was read the first time, and ordered to a second reading.

Mr. Taber made the following report from a select committee:

Mr. President:

The select committee to whom was referred the petition of sundry citizens of Cass county, desirous of having a law passed empowering the county commissioners, if they shall deem it expedient to employ a physician by the year, for the poor of said county, have had the same under consideration, and have directed me to report the following bill, and recommend its passage.

No. 105. A bill to authorize the commissioners of the county of Cass, to employ a physician for the paupers of said county;

Which was read the first time; and,

On motion by Mr. Taber,

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Houghton made the following report from a select committee:

Mr. President:

The committee to who was referred the petition of the citizens of Martin county, praying that the name of the town of Hillsborough, be changed to that of Dover Hill, have had the same under consideration, and directed me to report the followwing bill;

No. 106. A bill to change the name of the county seat of Martin county;

Which was read the first time; and,

On motion by Mr. Houghton,

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Waters made the following report from a select committee:

MR. PRESIDENT:

The select committe to whom was referred a petition of citizens of township 25, north of range two west, in Carroll county, relative to the school section in said township, have had the same under consideration, and instructed me to report the following bill, and recommend its passage;

No. 107. A bill to authorize the sale of school section in township 25, north of range two west, in Carroll county;

Which was read the first time.

Mr. Henry moved to refer the bill to the committee on education.

Which motion did not prevail.

On motion by Mr. Waters,

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Waters made the following report from a select committee:

MR, PRESIDENT:

The select committee to whom was referred the petition of sundry citizens of Carroll county Indiana, in reference to the town of Carrollton, have had the same under consideration, and instructed me to report the following bill, aud respectfully recommend its passage.

No. 108. A bill in relation to the town of Carrollton in Carroll county;

Which was read the first time; and,

On motion by Mr. Waters,

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

The following resolution was offered by Mr. Stewart:

Resolved, That the committee on claims be instructed to ascertain the amount of compensation paid to T. B. Kinder for services rendered as private secretary to the Governor.

Mr. Walpole moved to amend by striking out all the original resolution from the resolving clause, and insert the following:

That the Governor be requested to inform the Senate, what compensation, if any, has ever been paid by him, to T. B. Kinder for services rendered as private secretary to the Governor, also, under what law Mr. Kinder was appointed to perform the duties so rendered by him.

Mr. Miller moved to lay the resolution together with the amendment on the table. The ayes and noes being demanded by two Senators;

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coates, Day, English, Green, Handy, Hardin, Henry, Howell, Houghton, Huffstetter, James, Malott, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber—24.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Hubbard, Marsh, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Waters, Winchell, Zenor—24.

Which motion did not prevail.

Mr. Stewart moved the previous question, which was not seconded.

Mr. Hardin moved to lay the resolution together with the amendmen on the table.

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Berry, Coates, Day, English, Handy, Hardin, Henry Howell, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Randall, Read, Taber, Waters—21.

Those who voted in the negative are,

Messrs. Barbour, Beard, Cassatt, Chenowith, Conduit, Cornett, Davis, Ellis, Goodnow, Green, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murray, Morrison, Murphy, Orth, Osborn, Robinson, Rousseau, Simpson, Stewart, Verbrike, Walpole, Winchell, Zenor—28.

Which motion was decided in the negative.

Mr. Handy moved to postpone the farther consideration of the resolution and amendment, until Tuesday next:

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Berry, Coates, Day, English, Green, Handy, Hardin, Henry, Howell, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Randall, Taber—20.

Those who voted in the negative are,

Messrs. Barbour, Beard, Cassatt, Chenowith, Conduit, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Stewart, Verbrike, Walpole, Waters, Winchell, Zenor—28.

Which motion did not prevail.

Mr. Hardin moved to indefinitely postpone the resolution and pending amendment;

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Berry, Coates, Day, English, Green, Handy, Hardin, Henry, Howell, Huffstetter, James, Malott, Harsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Taber, Waters, —23.

Those who voted in the negative are,

Messrs. Barbour, Beard, Cassatt, Chenowith, Conduit, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Stewart, Verbrike, Walpole, Winchell, Zenor—26.

The resolution and amendment was not so postponed.

The question then being on the adoption of the amendment,

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Cornett, Davis, Ellis, English, Goodnow, Green, Hamrick, Holloway, Houghton, Hubbard, Martin, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Waters, Winchell, Zenor—30.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, Handy, Hardin, Henry, Howell, Huffstetter, James, Malott, Marsh, McCarty, Miller, Milligan, Morrison, Randall, Read, Stewart—19.

Which was decided in the affirmative.

So the amendment was adopted.

The question then being on the adoption of the resolution as amended;

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Stewart, Verbrike, Walpole, Waters, Winchell, Zenor—26.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howell, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read—22.

Which was decided in the affirmative.

So the resolution was adopted.

The President laid before the Senate the report of the trustees appointed to superintend the education of the blind of this State in Ohio and Kentucky; which,

On motion by Mr. Cornett,

Was laid on the table, and two hundred and fifty copies ordered to be printed.

The following resolution was offered by Mr. Taber:

Resolved, That the president of the board of commissioners of the sinking fund be, and he is hereby requested to communicate to the Senate for its information.

1st. Whether any part of said funds could be used by the State, as a payment of the State stock, in a new branch or branches, of the State Bank of Indiana, without injury to other rights or interests.

2nd. What amount, and when could it be made available for the purpose aforesaid.

Which was adopted.

The following resolution was offered by Mr. Beard:

Resolved, That the committee on education be instructed to en-

quire into the expediency of so amending the law for loaning out the surplus revenue, as to provide, that when lands mortgaged for the security of said fund, shall have become forfeited for a non-payment of principal or interest, and cannot be sold for the full amount of principal and interest; that the county Auditor be authorized to cause a reappraisement of said forfeited land, and that the same may be sold for the best price that they may bring, not less than the amount of the said reappraisement.

Which was adopted.

On motion by Mr. Handy,

The previous order of business was suspended, and the following bill introduced:

No. 109. An act to amend an act entitled, "An act to provide for the continuance of the construction of all or any part of the public works of this State, by private companies,

Approved January, 28th 1842, so far as the same is applicable to the Shelbyville and Edinburgh railroad;

Which was read the first time; and,

On motion by Mr. Handy,

The rules were suspended, and the bill read a second time,

When Mr. Walpole offered the following amendment, to add "so far as relates to the Shelbyville and Edinburgh railroad;"

Which was adopted.

The rules further suspended and the bill read a third time, and passed as amended.

Ordered, That the Secretary inform the House thereof.

By Mr. Simpson,

No. 110. A bill to incorporate the junction railroad company;

Was read the first time; the rules suspendend, and the bill read a second time and referred to the committee on corporations.

By Mr. Cassatt.

No. 111. An act to compel the trustees of the Wabash and Erie canal to allow interest on the canal land scrip;

Was read the first time; and

The rules were suspended, the bill read a second time, and referred te the judiciary committee.

Mr. Barbour gave notice that he would on to-morrow move to so change the standing rules of the Senate, that there be a standing committee, composed of one from each Congressional district appointed, as other committees of the Senate, and said committee, so appointed, to be called the committee on local business.

By Mr. Murphy.

No. 112. A bill to amend an act, entitled "an act to incorporate the Knightstown and Shelbyvill rail road company;

Was read the first time, and passed to a second reading.

By. Mr. Hamrick.

No. 113. A bill abolishing the office of School commissioner in the County of Putnam;

Was read the first time; and,

On motion of Mr. Hamrick,

The rules were suspended, and the bill read a second time, and passed to a third reading.

The Senate adjourned.

SATURDAY MORNING, January 15, 1848.

The Senate assembled.

The journal of the preceding day was read.

On motion by Mr. Orth,

The previous order of business was suspended, and the following messages of the House were taken up:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the House will, the Senate concurrlng therein, proceed to the election of State Librarian on to-morrow, at 10 o'clock A. M.

In which the concurrence of the Senate is respectfully requested.

Mr. President:

I am directed by the House of Representatives, to inform the Senate that the House have adopted the following resolution:

Resolved, That the House will, the Senate concurring therein, proceed on to-morrow at half-past ten o'clock, by joint ballot of the General Assembly, to elect an agent for the northern division of the Central canal, to serve as such for the space of two years.

In which the concurrence of the Senate is respectfully requested.

Which was,

On motion by Mr. Orth,

Reciprocated by the Senate.

On motion by Mr. Cassatt,
The following message of the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have concurred in the resolution of the Senate, relative to going into the election of canal trustee on the part of the State, for the Wabash and Erie canal, on the 14th instant, with the following amendments:

Strike out "half-past two o'clock P. M., on to-morrow, the 14th instant," and insert on "Monday, the 17th instant, at ten o'clock A. M."

In which amendment the concurrence of the Senate is respectfully requested.

Which was,
On motion by Mr. Cassatt,
Reciprocated by the Senate.
The President appointed Senators Beard and Barbour to act as tellers on the part of the Senate, to take the vote on the superintendent of the northern division of the Central canal; and Senators Cassatt and Miller, to act as tellers on the part of the Senate, to take the vote of canal trustee for the Wabash and Erie canal.
On motion by Mr. Winchell,
The rules were suspended, and the following message of the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill thereof:

No. 137. A bill to postpone the time for returning lands and town lots delinquent, in the county of Grant, for the non-payment of taxes.

In which the concurrence of the Senate is respectfully requested.

Which was read the first time.
On motion by Mr. Winchell,
The rules were further suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Leave being granted,
Mr. Millikin introduced

No. 114. A bill to amend an act entitled an act to incorporate the White Water Valley canal company, approved Jannary 20, 1842;

Which was read the first time.
On motion by Mr. Millikin,
The rules were suspended, the bill read a second time, and referred to the committee on corporations.
The President laid before the Senate, the report of the superintendent of common schools; which,
On motion by Mr. Henry,
Was laid on the table, and three hundred copies ordered to be printed.
On motion by Mr. Davis,
The report of the President of the State Bank was taken from the table, and referred to the committee on State Bank.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Orth,
A petition extending the limits of the corporation of Lafayette;
Which was referred to a select committee.
Senators Orth, Osborn, Taber, Beard, and Waters were appointed said committee.

By Mr. Marsh,
A petition for the repeal of stay laws; which,
On motion by Mr. Marsh,
Was referred to the committee on the judiciary.

By Mr. Simpson,
A petition of sundry citizens of Wayne, Fayette, and Union counties, for a charter for a turnpike road; which,
On motion by Mr. Simpson,
Was referred to a select committee.
Senators Simpson, Holloway, and Hubbard were appointed said committee.

By Mr. Malott,
A petition for the relief of Isaac Fish, late collector of Lawrence county; which,
On motion by Mr. Malott,
Was referred to a select committee.
Senators Malott, Huffstetter, and Berry were appointed said committee.

REPORTS FROM STANDING COMMITTEES.

Mr. Read made the following report from the committee on federal relations:

MR. PRESIDENT:

The committee on federal relations, to which was referred a resolution of the Senate, instructing them to inquire into the expediency of instructing our members in Congress, to use their exertion in procuring the passage of a law authorizing those who have served, and may hereafter serve in the existing war with Mexico, to locate the lands to which they are or may be entitled, in less quantities than one hundred and sixty acres, have had that subject under consideration, and have directed me to report the following joint resolution, and recommend its passage; and ask to be discharged from the further consideration of that subject:

No. 115. A joint resolution on the subject of land warrants;

Which was read the first time.

On motion by Mr. Read,

The rules were suspended, the joint resolution read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Berry made the following report, from the committee on roads.

MR. PRESIDENT:

The committee on roads, to whom was referred the petition of sundry citizens of Posey and Vanderburg counties, praying the location of a State road from Perrysville, in Posey county, to Evansville, in Vanderburgh county, have had that subject under consideration, and have directed me to report the following bill, and recommend its passage:

No. 116. A bill to locate a State road in Posey and Vanderburg counties;

Which was read the first time.

On motion by Mr. Berry,

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the Senate be invited to attend instanter in the Hall of the House of Representatives, for the purpose of proceeding to the election of a State Librarian, and a Superintendent of the northern division of the Central canal; and that seats be provided for them on the right of the Speaker's chair.

Which was,

On motion by Mr. Orth,

Reciprocated by the Senate.

The Senate then repaired to the Hall of the House of Representatives, and proceeded by joint viva voce vote, to elect a State Librarian, and by joint ballot, a Superintendent of the northern division of the Central canal.

The Convention then proceeded to joint viva voce vote, for State Librarian:

On the first vote,

Those who voted for John B. Dillon are,

Messrs. Barbour, Beard, Berry, Cassatt, Chenowith, Coates, Conduit, Cornett, Day, Davis, English, Ellis, Goodenow, Green, Hamrick, Handy, Hardin, Henry, Holloway, Howell, Houghton, Hubbard, Huffstetter, James, Malott, Martin, McCarty, Miller, Milligan, Millikin, Montgomery, Morrison, Murphey, Murray, Orth, Osborn, Randall, Read, Robinson, Rosseau, Simpson, Stewart, Taber, Verbrike, Walpole, Waters, Winchell, Zenor, Albin, Armstrong, Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Campbell, Carr, Chambers, Coble, Coffin, Cole, Colip, Commons, Covington, Criswell, Danner, Davis, De Bruler, Dimmett, Dobson, Dole, Dougherty, Doyle, Dunham, Ford, Frazer, Fuller, Gooding, Goodman, Gordon, Graham, Hall, Hamilton, Hankins, Harding, Harlan, Harvey, Hetfield, Holden, Huddleston, Hull, Hunt, Jones of Bartholomew, Jones of Switzerland, Keiser, Kennard, Kinney, Lane, Lichteberger, Line, Little, Lockwood, Lowe, Major, May, McConnell, McCormick, McDonald of Adams, McKinzie, Meredith, Miller, Mills, Morrison, Neal, Neff, Nimmons, Orr, Orton, Prather, Richmond, Robinson, Rulon, Sackett, Short, Shryock, Slater, Smiley, Stanton, Stone, Sullivan, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Trimbly, Widney, Williams of Knox, Williams of Madison, Winstandly, Wolf, and Mr. Speaker—144.

Mr. John B. Dillon, having received all the votes given, was, by the President of the Convention, declared duly elected State Librarian, for the term of three years, from and after the expiration of his present term of service.

The Convention then proceeded to the election of a Superintendent of the northern division of the Central Canal, by joint ballot—

Senators Beard and Barbour acting as tellers on the part of the Senate.

On the first ballot,

Bazil Brown received	75 votes.
Andrew A. Louden received	29 votes.
Matthew Little received	23 votes.
Cornelius Feree received	5 votes.
A. Wallace received	5 votes.
John R. Burke received	4 votes.
Elliott M. Patterson received	1 vote.
James McIlvain received	1 vote.
James Perham received	1 vote.
Blank	2 votes.

Mr. Brown, having received a majority of all the votes given, was declared by the President of the Convention, duly elected Superintendent of the northern division of the Central canal, to serve as such for the term of two years, from and after the expiration of his present term of service.

The Senate then returned to their chamber.

Mr. Read moved that the Senate adjourn.

Which motion did not prevail.

Mr. Berry made the following report, from the committee on roads:

MR. PRESIDENT:

The committee on roads, to whom was referred a resolution of the Senate, requesting them to inquire into the expediency of providing by law, for the opening and repairing private or cart ways, in the same way and manner as is now provided by law, for the opening of and keeping in repair county and State roads, have, according to order, had the same under consideration. Your committee are of opinion that such a law is inexpedient, and uncalled for by the public interest. The present road law now gives to any neighborhood, settlement, or individual, the right to locate a private road to any public highway, dwelling-house, or plantation, on petitioning the proper boards doing county business, for that purpose; and such a law as contemplated by said resolution would, if not directly, indirectly, compel the opening and keeping in repair said private or cart ways, for the benefit of individual and private interest, at the public expense.

Your committee are therefore of opinion that it is inexpedient to legislate upon that subject, and ask to be discharged from the further consideration of the same.

Which was concurred in by the Senate.

Mr. Morrison made the following report, from the committee on canals and internal improvements:

MR. PRESIDENT:

The committee on canals and internal improvements, to whom was referred bill of the Senate No. 27, entitled

No. 27. A bill for the benefit of the New Albany and Salem Railroad company, together with the accompanying remonstrances, have had the same under consideration, and have directed me to report the following amendment thereto, upon the adoption of which, they respectfully recommend its passage:

Amendment: After the words "of the State," in the fifth line of the third section, insert the words: "provided that the town of Salem, in the county of Washington, shall be a point in said road."

Which amendment was concurred in by the Senate.

Mr. Davis moved to amend by adding the following section:

Sec. —. That section 4th of an act entitled an act to change that part of the New Albany and Crawfordsville McAdamized road, which lies between Salem and New Albany, to a Railroad, to be constructed by a private company, be, and the same is hereby repealed.

Mr. Read moved to refer the bill and amendment to the committee on corporations.

On which the ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Day, English, Green, Handy, Hardin, Henry, James, Marsh, McCarty, Miller, Milligan, Millikin, Murray, Randall, Read, Stewart, and Walpole—19.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Coats, Conduit, Cornett, Davis, Ellis, Goodenow, Hamrick, Holloway, Houghton, Hubbard, Huffstetter, Malott, Montgomery, Morrison, Murphy, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Waters, Winchell, and Zenor—28.

Which was decided in the negative.

So the bill and amendment was not so referred.

Mr. Read moved to lay the bill and amendment on the table.

Which motion prevailed.

Mr. Millikin made the following report, from the committee on corporations:

MR. PRESIDENT:

The committee on corporations, to whom was referred bill of the Senate No. 8, to amend the charter of the Madison and Napoleon Turnpike Company, have had the same under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage.

Which bill was read a second time, and ordered to a third reading.

Mr. Cornett made the following report, from the committee on the benevolent institutions of the State.

MR. PRESIDENT:

The committee on the benevolent institutions of the State, to whom was referred bill No. 73 of the Senate, entitled a bill for the relief of Davis Porter, have had the same under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage.

Which bill was read a second time.

The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Cornett,

The report of the trustees of the Insane Hospital was taken up, and referred to the committee on benevolent institutions.

Mr. Cassatt made the following report, from a select committee:

MR. PRESIDENT:

The select committee, to which was referred the petition of Joseph Holman, on the subject of his indebtedness to the school fund of Miami county, have directed me to report that they have heretofore had that subject under consideration, and reported a bill granting the relief asked by said petitioner, and therefore ask to be discharged from the further consideration of the subject.

Which was concurred in by the Senate.

Mr. Ellis made the following report, from a select committee:

MR. PRESIDENT:

The select committee, to whom had been referred Senate bill No. 90, incorporating the Ohio and Mississippi Railroad Company, have instructed me to report the same back to the Senate, with the

following amendment, and upon the adoption of which, to recommend its passage:

Amend by inserting in the 1st section of said bill, before "Meda W. Shields," the following, to-wit:

John I. Morrison, of the county of Washington, and State of Indiana; William Berry, of the county of Monroe, and State of Indiana.

Which amendment was concurred in by the Senate.

Mr. Barbour moved to amend by inserting in the first section, Aquilla Jones, of Bartholomew county, State of Indiana.

Which was concurred in by the Senate.

The bill was read a second time.

Mr. Stewart moved to refer the bill and amendments to the committee on corporations.

Which motion prevailed.

On motion,

The Senate adjourned.

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2 *o'clock*, *P M.*.

The Senate assembled.

Mr. Millikin make the following report from the committee on corporations:

MR. PRESIDENT:

The committee on corporations to whom was referred, bill of the Senate No. 114, a bill to amend an act entitled an act to incorporate the white water valley canal, have had the same under consideration, and directed me to report the same back to the Senate, and recommended its passage.

Which bill was read the second time.

On motion by Mr. Millikin,

The rules were suspended, the bill read a third time. The question being on the passage of the bill,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Cornett, Davis, English, Green, Holloway, Hubbard, James, Marsh,

McCarty, Miller, Millikin, Montgomery, Morrison, Murphy, Murray, Osborn, Read, Robinson, Simpson, Taber, Verbrike, Waters, Winchell, Zenor—30.

Those who voted in the negative are,

Messrs. Barbour, Day, Hamrick, Handy, Hardin, Malott, Milligan, Randall—8.

Which was desided in the affirmative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Henry was excused from voting by vote of the Senate.

Mr. Cornett offerod the following resolution:

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the 429th and 430th sections of the 13th article of the 40th chapter of the revised code, as to give executors and administrators all the rights and powers upon any sales made by them of either real or personal property, which are now granted to sheriffs and officers, with leave to report by bill or otherwise.

Which was adopted.

The following message of the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill of the Senate without amendment:

No. 44. An act relative to the Marion circuit court.

Which was read the first time, the rules being suspended, the bill was read a second and third time and passed.

Ordered, That the Secretary inform the House thereof.

BILLS INTRODUCED.

By Mr. James,

No. 117. A bill to repeal all claims requiring certain process, and other instruments of writing, to be sealed with a seal of wax, wafer, or ink scroll;

Which was read a first time, the rules being suspended, the bill was read a second time, and referred to the judiciary committee.

By Mr. Cornett,

No. 118. A bill to incorporate the Ripley county medical society;

Which was read a first time.

On motion of Mr. Cornett,

The rules were suspended, the bill read a second time, and referred to the committee on corporations.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill thereof.

No. 74. An act regulating special elections, ordered by the Governor,

In which the concurrence of the Senate is respectfully requested;

Which was read the first time, the rules suspensed, the bill read a second time.

Mr. Orth offered the following amendment:

"Strike out the last section;"

Which amendment was adopted, and the bill referred to the judiciary committee.

Mr. Handy moved that the Senate adjourn,

Which motion did not prevail.

On motion by Mr. Holloway,

The report of the warden of the State prison was taken from the table, and referred to the committee on the State prison.

ORDERS OF THE DAY.

Bills on their third reading.

No. 8. A bill (of the Senate) to amend the charter of the Madison and Napoleon turnpike company,

Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 50. A bill (of the Senate) relative to the county seminary fund of Tippecanoe county;

Which was read the third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 54. A bill (of the Senate) to repeal the second section of an act, to vacate certain alleys in the town of Bloomington;

Which was read the third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 59. A bill (of the Senate) to protect the trust funds of the State.

Mr. Beard moved to amend, by striking out so much as relates to the printing;

Which was adopted.

The question being on the passage of the bill as amended,
The bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Davis,
Senate bill No. 27, was taken from the table,
Read a second time, and ordered to be engrossed for a third reading.

On motion by Mr. Read,
The vote was reconsidered on the engrossment of the bill.
Mr. Barbour moved to amend by "striking out the 5th instead of the 4th section.
Mr. Orth, called for a division of the question.
The vote being taken on Mr. Barbour's admendment, the amendment was not adopted.
The question being on the adoption of Mr. Davis amendmend,
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Cornett, Davis, English, Ellis, Goodenow, Green, Hamrick, Holloway, Howell, Houghton, Hubbard, Huffstetter, James, Malott, Miller, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Waters, Winchell, Zenor —36.

Those who voted in the negative are,

Messrs. Barbour, Day, Handy, Hardin, Henry, Marsh, McCarty, Milligan, Randall, Read, Stewart—11.

Which was decided in the affirmative.
The amendment was adopted.
Mr. Read offered the following amendment.

Sec. —. That William D. Beach, Levi Sparks, Peter Myers, and Wm. F. Collum, of the county of Clark be, and they are hereby appointed commissioners, under whose direction or a majority of them, subscriptions may be received to the capital stock of said company, and they, or a majority of them, may cause books to be opened, at such times and places as they may direct, for the purpose of receiving subscription to said capital stock, after having given such notice of the time and place of opening the same as they may deem proper. And whenever the sum of fifty ——— thousand dollars shall have been subscribed as capital stock to said company, then said company shall be deemed and taken as an incorporate company, under the name and style of the Jeffersonville and Salem railroad company, and shall have the like privileges and liabilities which are granted to, and placed upon the New Albany and Salem railroad company, for the purpose of ccnstructing said railroad from Jeffersonville to such point of intersection on said New Albany railroad, as said company hereby incorporated may determine most advantageous.

Sec. —. Said company when so incorporated as aforesaid, shall under the provisions of this act and the act to which this is amendatory, be authorized to construct a railroad between the points herein before indicated, and to connect said railroad with the New Albany and Salem road, with the right to use cars on the said New Albany and Salem road. The respective companies shall receive and be entitled to the nett proceeds of the business, which passes from the one to the other, in the ratio or proportion to the cost of such proportion of said railroad, as may be so used for the business thereof.

The question being on the adoption of the amendment offered by Mr. Read,
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Berry, Day, English, Hardin, Henry, Howel, James, Malott, Marsh, McCarty, Miller, Milligan, Morrison, Randall, Read, Stewart—16.

Those who voted in the negative are,

Messrs. Barbour, Beard, Cassatt, Chenowith, Coats, Conduit Cornett, Davis, Ellis, Coodnow, Green, Hamrick, Holloway, Houghton, Hubbard, Huffstetter, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rosseau, Simpson, Taber, Verbrike, Waters, Winchell, Zenor—30.

Which was decided in the negative.
So the amendment offered by Mr. Read was not adopted.
Mr. Read offered the following amendment.

Sec. —. That the full right and privilege is hereby reserved to the citizens of this State, or any company to connect with the road hereby provided for, any other railroad leading from the main route and diverging therefrom to any part or parts of the State ; and the like priviliges vested in the New Albany and Salem railroad company by this act, enure to and be vested in said citizens or company, to construct such lateral or connecting road.

Which the President desided out of order (Mr. Montgomery being in the chair.)

Mr. Read offered the following amendment:

Sec. —. *Be it further enacted*, That all the rights and privileges by this act granted to the New Albany and Salem railroad company, to construct a road from New Albany to Salem or other point or points, be and the same is hereby granted and vested in the Ohio and Indianapolis railroad company, for the purpose of constructiug a railroad from Jeffersonville to Columbus, with the right and power to construct and extend their work to any other point or points than

there indicated, or authorized by the "act to incorporate said company, approved January 20th 1846," and said Ohio and Indianapolis railroad company shall, in making the selection of their route for final location, have the right to occupy the line heretofore surveyed by lieutenant Coyle of the engineer corps, under the authority of the State, and to change the location from said surveyed route, as said company may deem expedient.

Sec. —. Said Ohio and Indianapolis railroad company, shall have the right to construct such lateral branch railroad, to connect with the main line, as said company may determine necessary and proper with the provisions of the act incorporating said company, and the privileges granted by this act.

Which amendment was decided to be out of order, (Mr. Montgomery being in the chair.)

Mr. Read offered the following amendment:

Sec. —. That sections 35 and 36 of the "act to incorporate the Ohio and Indianapolis railroad company, approved January 20th, 1846," be and the same is hereby repealed.

The question being on the adoption of the amendment offered by Mr. Read,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Messrs. Barbour, Day, English, Hardin, Henry, Howell, James, Marsh, McCarty, Miller, Milligan, Read, Stewart—13.

Those who voted in the negative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Cornett, Davis, Ellis, Goodnow, Green, Hamrick, Holloway, Houghton, Hubbard, Huffstetter, Malott, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Robinson, Rosseau, Simpson, Taber, Verbrike, Waters, Winchell. Zenor—32.

Which was decided in the negative.

So the amendment was not adopted.

The question being shall the bill be engrosed for a third reading.

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Davis, Ellis, Goodnow, Green, Hamrick, Holloway, Houghton, Hubbard, Huffstetter, Malott, McCarty, Miller, Millikin, Montgomery, Morrison, Murray, Murphy, Orth, Osborn, Robinson, Rosseau, Simpson, Taber, Verbrike, Waters, Winchell, Zenor—34.

Those who voted in the negative are,

Messrs. Barbour, Day, Handy, Hardin, Henry, James, Marsh, Read, Stewart—9.

Which was decided in the affirmative.

The bill ordered to be engrosed to a third reading on to-morrow.

Messrs. Howell and Handy were excused from voting.

Mr. Miller gave notice that he would on Monday, move to change the standing rules of the Senate as follows:

The order of business as established by the rules of the Senate, shall not be postponed or changed, except by a vote of at least two thirds of the members.

On motion,

The Senate adjourned.

MONDAY MORNING, January 17, 1848.

The Senate assembled.

The journal of the preceding day was read.

The President laid before the Senate the report of the President of the Board of Commissioners of the Sinking Fund,

Which,

On motion by Mr. Taber,

Was referred to the committee on the state bank.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Berry,

A petition of John Campbell for the vacation of a part of a certain alley therein named, in the town of Bloomington, which,

On motion by Mr. Berry,

Was referred to a select committee.

Messrs. Berry, Malott, and Roussau, were appointed said committee.

By Mr. Walpole,

A remonstrance of the stockholders of the New Castle and Andersontown turnpike company, against changing the charter of said company, which,

On motion by Mr. Walpole,

Was laid on the table.

By Mr. Holloway,

A petition relative to the national road, which,

On motion by Mr. Holloway,

Was referred to a select committee to which a petition on the same subject had been referred.

Mr. Stewart made the following report from the committee on the judiciary:

MR. PRESIDENT:

The committee on the judiciary to whom was referred, a bill of the Senate No. 11, "A bill to regulate the fees and emoluments of county officers, have had the same under consideration, and have directed me to report it back, with the following amendment:

Amend the bill generally so that its provissions shall apply only to the county of Marion.

Which was concurred in by the Senate.

Mr. Stewart offered the following amendments:

SEC. —. The county Clerk, Auditor, Sheriff, Treasurer, or Recorder, of the county of Marion shall not, release any person, from the payment of any fee, coming to either of them, and if either of them should violate the provisions of this section, such officer so offending, shall upon due conviction, upon indictment, be fined in any sum not exceeding one hundred dollars.

Amend the bill by striking out the word "January" in the fifth line, of the first section, and insert "February."

Fill the first blank with eight hundred, the second with five hundred, the third with six hundred, the fourth with eight hundred, and the fifth with four hundred.

Which were adopted.

The bill was read a second time, and ordered to be engrossed for a third reading.

Mr. Berry made the following report from the committee on roads:

Mr. PRESIDENT:

The committee on roads to whom was referred the petition of sundry citizens of Whitley county, for the better improvement of the Huntington and Goshen State road, have directed me to report the following bill and recommend its passage:

No. 119. A bill to improve the Huntington and Goshen State road.

Which was read the first time;

On motion by Mr. Murray,

The rules were suspended the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House by Mr. Ward their clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the Senate be invited to attend instanter in the Hall of the House of Representatives for the purpose of going into the election of a Trustee on the part of the State, on the Wabash and Erie Canal and that seats be provided for them on the right of the Speaker's chair.

The Senate repaired to the House of Representatives to elect by joint ballot a Trustee on the part of the State, for the Wabash and Erie Canal.

The President called the convention to order, when they proceeded by joint ballot to the election of a Trustee on the part of the State for the Wabash and Erie Canal.

The convention proceeded to a twelfth ballotting, Messrs. Cassatt and Miller acting as tellers on the part of the Senate, upon which,

Robert N. Carnan received	28 votes.
Samuel Hanna received	20 votes.
Austin M. Puett received	59 votes.
Willard Carpenter received	26 votes.
James McCampbell received	8 votes.
Scattering	1 vote.
Bradley received	1 vote.
Riley received	1 vote.
Blank	2 votes.

No gentleman having received a majority of all the votes given the convention proceded to a thirteenth joint ballot, upon which it appeared that,

Robert N. Carnan received	28 votes.
Samuel Hanna received	18 votes.
Austin M. Puett received	63 votes.
Willard Carpenter received	27 votes.
James McCampbell received	4 votes.
Scattering	1 vote.
Blank	4 votes.

No gentleman having received a majority of all the votes geven, the convention proceeded to a fourteenth ballotting, upon which,

Robert N. Carnan received	24 votes.
Samuel Hanna received	16 votes.
Austin M. Puett received	66 votes.
Willard Carpenter received	30 votes.

James McCampbell received	3 votes.
Bradley received	2 votes.
Stewart received	1 vote.
Scattering	3 votes.
Blank	1 vote.

No gentleman having received a majority of all the votes given, the convention proceeded to a fifteenth ballotting, upon which,

Austin M. Puett received	66 votes.
Willard Carpenter received	37 votes.
Robert N. Carnan received	19 votes.
Samuel Hanna received	13 votes.
James McCampbell received	3 votes.
Bradley received	2 votes.
Scattering	4 votes.
H. C. Moore received	1 vote.
Blank	1 vote.

No gentleman having received a majority of all the votes given, the convention adjourned until 2 o'clock, P. M.

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2 o'clock P. M.

The Senate assembled.

And repaired to the House of Representatives.

The President called the Convention to order when the convention proceeded to a sixteenth ballotting, upon which,

Austin M. Puett received	63 votes.
Willard Carpenter received	33 votes.
Samuel Hanna received	31 votes.
Robert N. Carnan received	10 votes.
James McCampbell received	3 votes.
Scattering	3 votes.
John H. Bradley received	1 vote.
Blank	2 votes.

No gentleman having received a majority of all the votes given, the convention proceeded to a seventeenth balloting, upon which,

Austin M. Puett received	64 votes.
Willard Carpenter received	30 votes.

Samuel Hanna received	36 votes.
Robert N. Carnan received	10 votes.
James McCampbell received	2 votes.
Scattering	2 votes.
Blank	4 votes.

No gentleman having received a majority of all the votes given, the convention proceeded to an eighteenth ballotting, upon which,

Austin M. Puett received	66 votes.
Samuel Hanna received	42 votes.
Willard Carpenter received	20 votes.
Robert N. Carnan received	12 votes.
James McCampbell receivd	2 votes.
Scattering	2 votes.
Blank	4 votes.

No gentleman having received a majority of all the votes given, the convention proceeded to a nineteenth ballotting, upon which,

Austin M. Puett received	66 votes.
Samuel Hanna recived	45 votes.
Willard Carpenter received	14 votes.
Robert N. Carnan received	14 votes.
James McCampbell received	2 votes.
Scattering	2 votes.
James G. Jones received	2 votes.
Blank	3 votes.

No gentleman having received a majority of all the votes given, the convention proceeded to a twentieth ballotting, upon which,

Austin M. Puett received	66 votes.
Samuel Hanna received	46 votes.
Robert N. Carnan received	16 votes.
James G. Jones received	13 votes.
Scattering	3 votes.
James McCampbell received	2 votes.
Blank	2 votes.

No gentleman having received a majority of all the votes given, the convention proceeded to a twenty-first ballotting, upon which,

Austin M. Puett received	66 votes.
Samuel Hanna received	47 votes.
Robert N. Carnan received	17 votes.
James G. Jones received	13 votes.
Scattering	3 votes.
James McCampbell received	1 vote.

No gentleman having received a majority of all the votes given, the convention proceeded to the twenty-second balloting, upon which,

Austin M. Puett received	68 votes.
Samuel Hanna received	47 votes.
Robert N. Carnan received	18 votes.
James G. Jones received	10 votes.
Scattering	1 vote.
Blank	2 votes.

No gentleman having received a majority of all the votes given, the convention adjourned till 10 o'clock to-morrow morning.

The Senate repaired to their chamber.

The Senate adjourned.

TUESDAY MORNING, JANUARY 18, 1848.

The Senate assembled.

The Journal of the preceding day was read.

The following message was from the House of Representatives was received by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bill of the Senate:

No. 44. An act relative to the Marion circuit court;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to the said enrolled bill, and it was delivered to the committee on enrolled bills, to be presented to His Excellency, the Governor, for his approval and signature.

The following message was received from His Excellency, the Governor:

MR. PRESIDENT:

I am directed by His Excellency, the Governor, to inform the

Senate that he did, on this day, approve and sign the following bills, viz:

No. 19. An act to amend the charter of the city of New Albany;

No. 57. An act providing for a special term of the probate court of Washington county, Indiana;

Both of which originated in the Senate.

January 18*th*, 1848.

The following message was received from the House by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate, without amendment:

No. 55. An act creating the Tippecanoe court of common pleas, and defining its jurisdiction.

Whereupon the President affixed his signature to the said enrolled bill, and it was delivered to the committee on enrolled bills to be presented to the Governor for his approval and signature.

On motion by Mr. English,

There was a call of the Senate ordered.

Mr. Hardin made the following report from the committee on enrolled bills:

MR. PRESIDENT:

The committee on enrolled bills have compared bill of the Senate No. 44, with the original, and find it correctly enrolled.

Mr. Ellis submitted the following report from the committee on corporations:

MR. PRESIDENT:

The committee on corporations to which had been referred Senate bill, No. 90, incorporating "The Ohio and Mississippi Railroad Company," have instructed me to report the same back to the Senate with the following amendment, and, upon the adoption thereof, to recommend its passage:

Amend by striking out "Agent of State," in the 6th section, and where the same occurs in the bill.

Which was concurred in by the Senate.

The hour of 10 o'clock having arrived, the Senate repaired to the Hall of the House of Representaves.

The convention, being called to order, then proceeded to a twenty-third balloting for Canal Trustee.

Upon which,

Austin M. Puett received	70 votes
Samuel Hanna received	1 vote.
John Pitcher received	64 votes
Robert A. Chandler received	5 votes
James McCampbell received	1 vote.
Blank,	6 votes.
Scattering,	1 vote.

No gentleman naving received a majority of all the votes given the Convention proceeded to a twenty-fourth balloting, upon which,

Austin M. Puett received	64 votes.
Samuel Hanna received	1 vote.
John Pitcher received	63 votes.
Robert A. Chandler received	9 votes.
James McCampbell received	2 votes.
Blank,	7 votes.
Scattering,	2 votes.

No gentleman having received a majority of all the votes given, the Convention proceeded to a twenty-fifth balloting; upon which,

Austin M. Puett received	75 votes.
John Pitcher received	64 votes.
Samuel Hanna received	2 votes.
R. N. Carnan received	1 vote.
James McCampbell received	1 vote.
Blank,	3 votes.
Scattering,	3 votes.

Austin M. Puett, having received a majority of all the votes given, was declared by the President of the Convention duly elected Trustee, on the part of the part of the State, of the Wabash and Erie Canal, to serve as such for the term of three years from the date of his election.

The Senate returned to their chamber.

The Senate adjourned.

2 o'clock, P. M.

The Senate assembled.

The previous order of business being suspended,

Mr. Davis introduced,

No. 120. A bill for the relief of Patrick McGinley;

Which was read the first time;

On motion by Mr. Davis,

The rules were suspended, the bill read a second time, and referred to the committee on claims.

Mr. English introduced,

No. 121. A bill to amend an act, entitled "An act to incorporate the Ohio and Indianapolis Railroad Company, approved January 20, 1846;

Which was read the first time;

On motion by Mr. English,

The rules were suspended, the bill read a second time, and referred to a select committee of Messrs. English, Read, Morrison, Davis, and Barbour.

Mr. Cassatt introduced,

No. 122. A bill for the relief of the heirs of Louisa Jane Cassatt;

Which was read the the first time;

On motion by Mr. Cassatt,

The rules were suspended, the bill read a second time, and referred to the judiciary committee.

Mr. Read introduced,

No. 123. A bill for the relief of Rudolph Fischli and others;

Which was read the first time;

On motion by Mr. Read,

The rules were suspended, the bill read a second time; and

On motion by Mr. English,

Was referred to the judiciary committee.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the House will, the Senate concurring therein, proceed to elect a commissioner for the New Albany and Vincennes Turnpike Road on this day, (18th of January, 1847,) at 2½ o'clock, P. M.

In which the concurrence of the Senate is respectfully requested.

Which,

On motion by Mr. Handy,

Was reciprocated by the Senate.

Mr. Stewart introduced,

No. 124. A bill relative to the time of making reports to the Legislature;

Which was read the first time;

On motion by Mr. Orth,

The rules were supended, the bill read a second and third times, and passed.

Ordered, That the secretary inform the House thereof.

On motion by Mr. Goodnow,

The following message of the House was taken up:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof;

No. 144. A bill fixing the times of holding circuit courts in the third judicial circuit;

In which the concurrence of the Senate is respectfully requested.

And that the House have also passed the following engrossed bill of the Senate without amendment:

No. 32. An act to change the time of holding the probate court in the county of Allen, and to repeal certain acts therein named.

No. 144. A bill (of the House) fixing the time of holding circuit courts in the third judicial circuit;

Was read the first time;

On motion by Mr. Goodnow,

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the secretary inform the House thereof.

The following message was received from the House of Representatives by Mr. Ward, their clerk.

Mr. President:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bill thereof:

No. 137. An act to postpone the time for returning lands and town lots delinquent for the non-payment of taxes in the county of Grant;

Which I have been directed to bring to the Senate for the signature of the President thereof.

And thereupon the President affixed his signature to said enrolled bill.

Mr. Miller, in accordance with the notice given on Saturday, offered for adoption the following amendment to the Standing Rules of the Senate:

"The order of business, as established by the rules of the Senate, shall not be postponed or changed, except by two-thirds of the members present."

Which was adopted.

Mr. Hardin made the following report from the committee on enrolled bills:

Mr. President:

The committee on enrolled bills have compared bill of the Senate, No. 55, with the orginal, and find it correctly enrolled.

Mr. Hardin made the following report from the committee on enrolled bills:

Mr. President:

The committee on enrolled bills have this day presented to the Governor, for his approval and signature, bills of the Senate, Nos. 57, 19, 55, and 44, January 18, 1848.

The following message was received from the House by Mr. Ward, their clerk.

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the Senate be invited to attend instanter in the Hall of the House for the purpose of electing by joint convention of both Houses a commissioner of the New Albany and Vincennes Turnpike Road, and that seats be provided on the right of the Speaker's chair.

The Senate then repaired to the Hall of the House of Representatives, and the President called the Convention to order, when the Convention proceeded, by joint ballot, to the election of a Superintendent of the New Albany and Vincennes Turnpike Road, to fill the vacancy occasioned by the expiration of the term of service of John Frazier, Messrs. Houghton and Huffstetter acting as tellers on the part of the Senate.

Upon the first ballot,

Michael Riley received - - - - - - 68 votes.

John Frazier received - - - - - - - 48 votes.
John W. Waller received - - - - - - - 29 votes.
Blank, - - - - - - - - - - 5 votes.

No gentlemen having received a majority of all the votes given, the Convention proceeded to a second balloting.

Upon which,

Michael Riley received - - - - - - - 77 votes.
John Frazier received - - - - - - - 46 votes.
John W. Waller received - - - - - - - 20 votes.
Blank, - - - - - - - - - - 5 votes.

Michael Riley having received a majority of all the votes given, was declared by the President of the Convention to be duly elected Superintendent of the New Albany and Vincennes Turnpike Road for the term of two years from the expiration of the term of service of the present incumbent.

The Senate returned to their chamber, and

Adjourned.

WEDNESDAY MORNING, JANUARY 19, 1847.

Senate assembled.

The journal of the preceding day was read.

Mr. Chenowith presented a petition of sundry citizens of Vermillion county, praying the establishment of a branch of the State Bank; which,

On motion by Mr. Chenowith,

Was referred to the committee on the State Bank.

Mr. Martin submitted the following report from the committee on finance:

MR. PRESIDENT:

The committee on finance to whom was referred the resolution of the Senate, requiring them to inquire into the expediency of abolishing the office of county assessor, and creating the office of township assessors in place thereof, have had the same under consideration, and have directed me to report that they think it inexpedient to abolish said office at this time.

Which was concurred in by the Senate.

By consent of the Senate, the following petitions, memorials, and remonstrances were presented:

By Mr. Berry,

A petition of Paris Vestil and others, in relation to the Bedford and Bloomington State Road; which,

On motion by Mr. Berry,

Was referred to a select committee.

Messrs. Berry, Malott, and Huffstetter were appointed said committee.

By Mr. Cassatt,

A petition of J. T. Liston, asking authority to sell certain lands; which,

On motion by Mr. Cassatt,

Was referred to the judiciary committee.

By Mr. McCarty,

A petition for the relief of John Stoops, of Fayette county; which,

On motion by Mr. McCarty,

Was referred to the committee on claims.

By Mr. Orth,

A petition praying for the relief of J. & E. L. Beard; which,

On motion by Mr. Orth,

Was referred to the committee on claims.

By Mr. Ellis,

The memorial of Henry O'Reiley, praying for a general Telegraph law which shall secure public and private rights in the operation of the telegraph system; which,

On motion by Mr. Ellis,

Was referred to a select committee.

Messrs. Ellis, Holloway, Orth, Davis, and Osborn were appointed said committee.

By Mr. Marsh,

A petition of Sundry citizens of Steuben county, praying the repeal of the stay laws; which,

On motion by Mr. Marsh,

Was referred to the judiciary committee.

The following message was received from His Excellency, the Governor, by his private secretary, Mr. James M. Sleeth:

MR. PRESIDENT:

I am directed by His Excellency, the Governor, to inform the Senate that he did, on yesterday, approve and sign bill, No. 55, entitled "A bill creating the Tippecanoe court of common pleas, and defining its jurisdiction," which originated in the Senate.

January 19*th*, 1848.

Mr. Walpole submitted the following report from the committee on the judiciary:

Mr. President:

The committee on the judiciary, to whom was referred bill of the Senate, No. 88, instruct me to report the same to the Senate and recommend its passage:

No. 88. A bill to amend the 118th section of article 7, chapter 12 of the Revised Statutes relative to tax sales.

Which was read the second time, and ordered to be engrossed for a third reading.

Mr. Davis submitted the following report from the committee on the judiciary:

Mr. President:

The committee on the judiciary to which was referred the Senate bill, No. 122, for the relief of the heirs of Louisa Jane Cassatt, have had the same under consideration, and have instructed me to report said bill back to the Senate and recommend its passage.

The bill was read a second time;

On motion by Mr. Davis,

The rules were suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. McCarty submitted the following report from the judiciary committee:

Mr. President:

The judiciary committee to whom was referred bill, No. 93, entitled "A bill declaratory of the meaning of the 30th section of chapter 37 of the Revised Statutes of 1843, have directed me to report the same back without amendment and recommend its passage.

The bill was read a second time, and ordered to be engrossed.

Mr. Ellis submitted the following report from the judiciary committee:

Mr. President:

The committee on the judiciary, who had been instructed to inquire into the expediency of amending the 429th and 430th chapter of the Revised Code, so as to give executors and administrators all the rights and powers upon sales made by them of either real or

personal property, which are now granted to sheriffs and other officers, have instructed me to report that they deem it inexpedient to legislate upon the subject, and ask leave to be discharged from the further consideration of the subject.

Which was concurred in by the Senate.

Mr. Rousseau submitted the following report from the judiciary committee:

Mr. President:

The judiciary committee to which was referred the petition of Anne Henderson, have had the same under consideration, and have instructed me to report to the Senate the following bill, and recommend its passage:

No. 125. A bill for the relief of Anne Henderson.

Which was read the first time.

Mr. Orth moved that the bill be indefinitely postponed.

The ayes and noes being called for by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Conner, Cornett, Goodnow, Hamrick, Henry, Huffstetter, Malott, McCarty, Morrison, Murphy, Orth, Robinson, Stewart, and Verbrike—15.

Those who voted in the negative are,

Messrs. Barbour, Berry, Cassatt, Chenowith, Coats, Conduit, Day, Davis, English, Green, Handy, Hardin, Holloway, Howell, Houghton, Hubbard, James, Marsh, Martin, Miller, Milligan, Millikin, Montgomery, Murray, Osborn, Randall, Read, Rousseau, Simpson, Taber, Walpole, Waters, Winchell, and Zenor—34.

The bill was not indefinitely postponed.

On motion by Mr. Houghton,

The bill was read a second time, and ordered to be engrossed.

Mr. Hardin submitted the following reports from the committee on enrolled bills:

Mr. President:

The committee on enrolled bills did this day present to the Governor, for his approval and signatnre, bill of the Senate No. 32.

January 19th, 1848.

MR. PRESIDENT:

The committee on enrolled bills have compared bill of the Senate No. 32, with the original, and find it correctly enrolled.

Mr. Hubbard submitted the following report from the judiciary committee:

MR. PRESIDENT:

The judiciary committee to which was referred bill, No. 103, in relation to the suit of the Vincennes University against the State of Indiana, have had the same under consideration, and directed me to report it back to the Senate, and recommend its passage.

Which bill was read a second time, and ordered to engrossed.

Mr. Robinson submitted the following report from the judiciary committee:

MR. PRESIDENT:

The judiciary committee to whom was referred bill of the Senate, No. 28, a bill to amend an act, entitled "An act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors," have directed me to report the same back to the Senate with the following amendments:

1st. Strike out of the third and fourth lines of the first section, these words, "several counties of this State," and insert in lieu thereof these words—"The counties of Decatur, Henry, and Grant."

2d. Strike out of said bill, wherever it occurs, the word "auditor," and insert in lieu thereof the "clerk of the circuit court."

3d. Add the following additional section:

SEC. —. Any person or persons who shall barter or sell any spirituous or intoxicating liquors, by retail, contrary to the provisions of this act, not having obtained a license to retail the same according to the provisions of this act, shall, on presentment or indictment in the proper circuit court, be fined in any sum not less than five, nor more than fifty dollars.

Which amendments were concurred in by the Senate.

On motion by Mr. Goodnow,

The county of Jefferson was added to the provisions of the bill.

On motion by Mr. Green,

The county of Switzerland was added.

On motion by Mr. Verbrike,

The county of Hendricks was added.

On motion by Mr. Chenowith,

The county of Vermillion was added.

Mr. Murphy moved to reconsider the vote in concurring in the report of the committee.

Which motion did not prevail.

On motion by Mr. Conner,

The county of Hamilton was added.

On motion by Mr. Green,

The county of Ohio was added.

On motion by Mr. Millikin,

The county of Dearborn was added.

On motion by Mr. Cornett,

The county of Ripley was added.

On motion by Mr. Cassatt,

The county of Wabash was added.

On motion by Mr. Holloway,

The county of Wayne was added.

On motion by Mr. Simpson,

The counties of Union and Fayette were added.

On motion by Mr. Murphy,

Henry township, in Henry county, was excepted from the provisions of the bill.

Which bill was read a second time.

The following message was received from His Excellency, the Governor, by Mr. James M. Sleeth, his private secretary:

MR. PRESIDENT:

I am directed by His Excellency, the Governor, to inform the Senate that he did, on this day, approve and sign bill, No. 32, entitled "An act to change the time of holding the probate court in the county of Allen, and to repeal certain acts therein named," which originated in the Senate.

January 19th, 1848.

Mr. Winchell submitted the following report from the committee on the judiciary:

MR. PRESIDENT:

The judiciary committee to whom was referred Senate bill, No. 117, have directed me to report the same back to the Senate, and recommend its indefinite postponement.

Which was concurred in by the Senate.

Mr. Robinson submitted the following report from the judiciary committee:

MR. PRESIDENT:

The judiciary committee, to whom was referred bill of the Sen-

ate, No. 49, entitled "An act to extend the jurisdiction of justices of the peace in certain criminal causes," and also a resolution of the Senate on the same subject, have, according to order, had the same under consider consideration, and have directed me to report the following bill as a substitute for the one referred to your committee, which bill they report for the consideration of the Senate:

No. 49. A bill giving justices of the peace jurisdiction in certain criminal causes.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That from and after the passage and publication of this act justices of the peace of the several counties in this State shall have and possess concurrent jurisdiction with the [circuit courts] of their respective counties in all criminal cases enumerated and specified in sections 61, 62, 63, 64, 65, 69, 71, 81, 82, 84, 90, 92, 93, 94, 95, 97, 98, 99, 100, 101, 102, 103, 107, 110, and 119, of article two of chapter fifty-three of the Revised Statutes of 1843: *Provided, however*, That no justice of the peace shall have power in any of the cases above enumerated, to assess a fine of more than twenty-five dollars; nor shall any justice of the peace, in any of the cases above enumerated, have power to add imprisonment as a part of the penalty for any of said offences.

SEC. 2. In all the causes enumerated in the first section of this act, it shall be the duty of the justice of the peace of the proper county, on the filing of the proper affidavit before him, to issue the proper process, and all necessary subpœnas for the parties, and all proper venires for a jury necessary to a proper trial of said cause; and either party may call a jury of three, six, or twelve men, as to them may seem proper for the trial of said cause.

SEC. 3. In any of the causes enumerated in the first section of this act it shall be the duty of the justice of the peace, before whom said cause is pending for trial, on good cause shown by the defendant or defendants, by proper affidavit, to grant a change of venue to and before any other justice of the peace of the proper county; and it shall be his duty to transmit to said justice of the peace to whom said change is taken a transcript of the cause, with all papers therein, and cause and require all witnesses in attendance before him to go and forthwith appear before the justice of the peace to whom said change is sent.

SEC. 4. In any of the causes enumerated in the first section of this act, whenever the defendant or defendants are found guilty, and a fine shall be assessed against him or them, the justice of the peace shall enter on his docket, as a part of his judgment, that the defendant or defendants shall stand committed in the hands or custody of the constable until the fine and costs are paid or replevied.

SEC. 5. Should any defendant against whom any judgment is rendered before any justice of the peace, fail or refuse to pay the fine and costs, said justice may commit him to the proper jail of the county, there to remain until discharged by law: *Provided, however*, That when any defendant shall fully satisfy the justice that he is

wholly unable to pay said fine and costs, the justice may discharge said defendant from custody, and may issue execution against the goods and chattels of said defendant from the date thereof; and said execution shall be returnable in sixty days from the date thereof.

SEC. 6. That any person committed to jail under and by the provisions of this act may discharge himself therefrom by paying the fine and all the costs that have accrued up to the time of payment to the jailor in whose custody he may be, who shall pay the same over to the justice who rendered said judgment, or his successor in office, after retaining his just fees; or said defendant may discharge himself from prison by procuring some person, to the acceptance of said justice, to enter himself as replevin bail for the same on the docket of said justice, or his successor, or by making and filing with said jailor his affidavit that he has no goods and chattels, rights, credits, moneys, and effects, subject to execution, out of which to pay said fine and costs, which shall authorize said jailor to discharge said defendant from custody: *Provided, however*, That execution may still issue on said judgment against the goods and chattels of said defendant.

SEC. 7. On the return of an execution which may have been issued by any justice on any judgment by him rendered as aforesaid, that said defendant has no goods or chattels, rights, credits, moneys, and effects, out of which to make said fine and cost, the justice of the peace before whom said judgment may have been rendered, or his successor in office, may cause to be filed in the clerk's office of his county a certified copy of said judgment, which shall have all the force and effect of a transcript filed in a civil cause, and shall bind the land of the defendant, and a *scire facias* may issue thereon, as in civil causes, and be governed by the same rules and regulations that civil causes are governed [by,] so far as the same are applicable, and on all causes on *scire facias* contemplated by this act it shall be the duty of the county prosecuting attorney to attend to and prosecute the same in the circuit court, and on judgment being had thereon he shall be entitled to a docket fee, as in other cases.

SEC. 8. In all causes contemplated by this act, the justice of the peace before whom the same is pending shall, for good cause shown, grant continuances, as in other causes.

This act shall take effect and be in force from and after its publication, any law to the contrary notwithstanding.

Which,

On motion by Mr. Cornett,

Was laid on the table.

Mr. Henry submitted the following report from the committee on the judiciary:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred bill, No.

29, entitled "An act to amend the laws regulating appeals from other tribunals and officers to the circuit court," have had the same under consideration, and directed me to report the same back to the Senate and recommend that it be indefinitely postponed.

Which was concurred in by the Senate.

Mr. Murphy submitted the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred bill of the House, No. 74, entitled "A bill regulating special elections ordered by the Governor," have had the same under consideration, and have directed me to report it back to the Senate, and recommend its passage.

Which bill was read the second time, and ordered to be engrossed for a third reading.

Mr. McCarty submitted the following report from the judiciary committee:

MR. PRESIDENT:

The judiciary committee, to whom was referred the petition of Hallam Waterhouse, praying for a divorce from his wife Hannah, have directed me to report that it is inexpedient to grant the prayer of the petitioner.

Which was concurred in by the Senate.

Mr. Stewart made the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred the petition of J. B. Bassinger, asking the Legislature to grant him a divorce, have, according to order, had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its indefinite postponement.

The report was laid on the table.

Mr. Orth submitted the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to which was referred Senate bill, No. 69, a bill to repeal an act, entitled "An act for the relief

of the Miami Indians," approved February 3, 1841, have, according to order, had the same under consideration, and instructed me to report the same to the Senate, with the following amendments, and upon their adoption, they recommend its passage.

SEC. 2. *Be it further enacted*, That an act, entitled "An act relative to suits against the Miami Indians," approved February 11th, 1843, be, and the same is hereby, repealed.

SEC. 3. This act shall be in force from and after its passage.

Which was concurred in by the Senate.

The bill read a second time, the rules being suspended, the bill was read a third time, and passed.

Ordered, That the secretary inform the House thereof.

Mr. Morrison, from the committee on education, made the following report:

MR. PRESIDENT:

The committee on education, to whom was referred the petition of sundry citizens of the county of Washington, praying for a reduction of the rate of interest on the School Funds, have had the same under consideration, and directed me to report, that in the opinion of the committee the condition of the School Funds, in general, does not require, at this time, any further legislation, and a majority of the committee are unwilling to lend their sanction to local or special legislation on this subject. The committee ask to be discharged from the further consideration thereof.

Which was concurred in by the Senate.

Mr. Beard submitted the following report from the committee on roads:

MR. PRESIDLNT:

The committee on roads, to which was referred a petition of E. Morrison, of Laporte county, relative to the vacation of a road in said county, have had that matter under consideration, and have instructed me to report the following, No. 126, "An act to vacate a road in Laporte county, and for the relief of O. P. Ludlow," and recommend its passage. And said committee ask to be discharged from the further consideration of said subject.

Which bill was read the first time.

On motion by Mr. Beard,

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Leave being granted,

Mr. Osborn submitted the following report from the judiciary committee:

Mr. President:

The judiciary committee to which was referred Senate bill, No. 111, have considered the same, and directed me to report it back to the Senate with the following amendment, and when so amended said committee recommend its passage, and ask to be discharged from the further consideration of that subject.

The amendment is as follows:

Strike out the words "five dollars," in the second section, and in its place insert the following, "fifty nor more than five hundred dollars."

Which amendment was concurred in by the Senate.

The bill was read the second time, the rules suspended, the bill read a third time, and passed.

Ordered, That the secretary inform the House thereof.

Leave being granted Mr. Ellis introduced,

No. 127. A bill to amend an act entitled "an act to reduce the tolls on the New Albany and Vincennes road and for other purposes,

Which was read the first time.

On motion by Mr. Ellis,

The rules were suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Winchell summitted the following report from the committee on corporations:

Mr. President:

The committee on corporations to whom was referred bill of the Senate No. 39, have had the same under consideration and direct me to report it back with the following amendments, and when so amended recommend its passage.

Amend 19th section by striking out in line 19 the works "or materials" and insert the following: "That in no case shall such jury in the assessment of damages for materials, so as to be taken by this act, take into consideration the advantages or disadvantages the road may be to the owner or owners of such materials. Insert after the word "and" in said 19th line the words "such jury." Amend 61st section by striking out all after the words "the legislature shall concur therein." Insert after the word "justice" where it first occurs in 22d line, in the 19th section the following: "within four days after such view."

The question being on the adoption of the following amendment proposed by the committee:

Amend the 19th section by striking out in line "19" the words "or materials," and inserting the following: "That in no case shall such jury in the assessment of damages for materials, so to be taken by this act, take into consideration the advantages or disadtages the road may be to the owner or owners of such materials."

Which was not adopted.

The question being on the adoption of second amendment proposed by the committee.

Insert after the word "and" in said 19th line the word "such jury,"

Which was not adopted.

The question being on the adoption of the third amendment proposed by the committee.

Amend 61st section by striking out all after the words, "the Legislature shall concur therein."

Mr. Barbour offered the following amendment to the amendment: "Strike out section 61 and insert the following:

Sec. 62. The Legislature reserves the right to alter or amend or repeal this act at any time when the public good shall seem to require."

The question being on the adoption of the amendment proposed by Mr. Barbour.

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Barbour, Coats, Day, English, Green, Handy, Hardin, Henry, Huffstetter, Marsh, Martin, McCarty, Miller, Milligan, Morrison, Randall, Stewart, Waters—18.

Those who voted in the negative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Canduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Howel, Houghton, Hubbard, James, Malott, Millikin, Nontgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Winchell, Zenor—31.

The amendment was not adopted.

The question recurring on the adoption of the amendment of the committee,

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Barbour, Coats, Day, English, Green, Handy, Hardin, Henry, Huffstetter, Malott, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Stewart—17.

Those who voted in the negative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, James, Martin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Waters, Winchell, Zenor—31.

The amendment was not adopted.

Mr. Barbour offered the following amendment:

Add the following section:

Sec. 59. The stockholders shall be individually liable for all debts contracted by said corporation for labor done or materials furnished in the construction of said road.

Mr. Barbour withdrew his amendment, when the following amendment was offered by Mr. McCarty:

The stockholders of said corporation shall be individually liable for the debts of said corporation, for work, labor, or materials, and their private property subject to judgment and execution for the same, after all the corporate property subject to execution shall have been exhausted.

Pending which,

The Senate adjourned.

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2 o'clock, P. M.

The Senate assembled.

Mr. Green moved that the message from the House of Representatives be taken up;

Which motion did not prevail.

On motion,

A call of the Senate was ordered, and the sergeant-at-arms departed for the absentees.

Leave being granted,

Mr. Orth introduced the following resolution:

Resolved, That the Senate will, the House concurring therein, proceed, this afternoon at 3 o'clock, P.M., to the election of judge of the Tippecanoe court of common pleas.

Which was adopted.

On leave,

Mr. Murphy introduced the following bill:

No. 128. A bill to correct a misprint in an act therein named;

Was read the first time and, the rules suspended, the bill read a second and third times and passed.

The secretary ordered to inform the House thereof.

By Mr. English,

No. 128. A bill to authorize Isaac Hiftner and others to build a mill-dam;

Was read a first time, and the rules suspended, the bill read a second and third times and passed.

The secretary ordered to inform the House thereof.

By Mr. Hubbard,

No. 130. A bill to amend the first section of the first article of the revised statutes of 1843;

Was read the first time, and the rules suspended, the bill read a second time and referred to judiciary committee.

By Mr. Taber,

No. 131. An act to amend an act to revive an act entitled an act to incorporate the city of Logansport, approved January 13th, 1845;

Was read the first time, the rules suspended, the bill read a second time and referred to the committe on corporations.

Leave was granted Mr. Taber to take from the files of the Senate the petition of John Kister, and the papers relating thereto.

Mr. Robinson presented an account of A. G. Selman;

Which was referred to the committee on claims.

By Mr. Millikin,

No. 132. A bill for the benefit of Lawrenceburg township in Dearborn county;

Was read the first time, the rules suspended, the bill read a second and third times and passed.

The secretary ordered to inform the House thereof.

Leave being granted,

Mr. Osborn made the following report from the committee on education:

MR. PRESIDENT:

The committee on education, to whom was referred the petition of the board of commissioners of Laporte county, relative to borrowing money and levying an additional tax in said county, have had the same under cousideration, and instructed me to report the following bill, and recommend its passage, and ask to be discharged from the further conisderation thereof.

The title of the bill as follows:

No. 133. A bill to authorize the county of Laporte to borrow money and to levy additional taxes.

Was read the first time, and the rules suspended, the bill read a second and third times and passed.

The secretary ordered to inform the House thereof.

The following message was received from the House, by Mr. Ward, heir clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the speaker of the House has signed the following enrolled bill of the House:

No. 144. An act fixing the times of holding circuit courts in the third judicial circuit;

Which I am directed to bring to the Senate for the signature of the president thereof.

Thereupon the president affixed his signature to said enrolled bill, and it was delivered to the committee on enrolled bills to present to His Excellency, the Governor, for his approval and signature.

By Mr. Berry,

No. 134. A bill for the benefit of the recorder of Monroe county;

Was read the first time, and the rules suspended, the bill read a second and third times and passed.

The secretary ordered to inform the House.

Mr. Martin made the following report, from the committee on corporations:

MR. PRESIDENT:

The committee on corporations to whom was referred the bill of the Senate No. 16, to incorporate the Logan Manufacturing company, have had the same under consideration, and have directed me to report the same back to the Senate with the following amendment, and, when amended, recommend its passage:

Amend the title by striking out all after the word Logan, inclusive, and insert Eel river Mamufacturing company at Logansport; and insert the following additional section:

Sec. — The directors of said corporation shall be liable, in their individual capacity, for all debts contracted over and above the amount of solvent stock subscribed.

Which amendments were adopted.

The bill was then read a second time and engrossed for a third reading.

By Mr. Cassatt,

No. 135. A bill for the relief of John Boone;

Which was read the first time, and the rules suspended, the bill read a second time and referred to a select committee of Senators Cassatt, Taber, and Orth.

The previous order of business was resumed.

The question being on the adoption of the amendment offered by Mr. McCarty,

The ayes and noes were demanded by two Senators;

Those who voted in the affirmative are,

Messrs. Barbour, Coats, Day, English, Green, Handy, Hardin, Henry, Huffstetter, Malott, Marsh, Martin, McCarty, Miller, Milligan, Morrison, Randall, Stewart—18.

Those who voted in the negative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Howel, Houghton, Hubbard James, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Waters, Winchell, Zenor—32.

Which was determined in the negative.

The following amendment was offered by Mr. Milligan:

Sec. — The directors of said corporation shall be held responsible and liable, in their individual capacity, for all debts contracted over and above the amount of solvent stock subscribed and paid.

The question being on the adoption of the amendment,

The ayes and noes were demanded by two Senators;

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Day, English Handy, Hardin, Henry, Howell, Houghton, Huffstetter, Malott, Marsh, McCarty, Martin, Miller, Milligan, Millikin, Morrison, Randall, Stewart, Waters —22.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Hubbard, James, Montgomery, Murphy, Murray, Orth, Read, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Winchell, Zenor—26.

Which was determined in the negative.

Mr. Barbour offered the following amendment:

Strike out sections 44, 45, 46, 47, 48, 49, 50, 51, and 52.

Mr. Walpole moved the previous question;

Which was not seconded.

The following message was received from the House of Representatives, by Mr. Ward, their Clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the resolution of the Senate, relative to going into the election of a judge of the Tippecanoe court of common pleas, this afternoon at 3 o'clock.

The question being on the amendment proposed by Mr. Barbour,
The ayes and noes were demanded by two Senators.
Pending which,
The following message was received from the House of Representatives, by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the Senate be invited to attend *instanter* in the Hall of the House, for the purpose of electing, by joint convention of both Houses, a judge of the Tippecanoe court of common pleas, and that seats be provided for them on the right of the Speaker's chair.

The Senate repaired to the Hall of the House of Represenatives.
The convention, being called to order by the president, proceeded to the election of a judge of the Tippecanoe court of common pleas, Senators Orth and Howell acting as tellers on the part of the Senate.
Upon the first ballot,

Addison M. Crane received - - - - - -	88 votes.
Scattering, - - - - - - - - - - -	48 votes.

Addison M. Crane having received a majority of all the votes given, was declared, by the president of the convention, duly elected judge of the Tippecanoe court of common pleas, to serve as such for the term of seven years from the date of his election.
The Senate returned to their Chamber, when,
On motion by Mr. Walpole,
The bill and pending amendments were referred to a select committee, consisting of Senators Walpole, Winchell, and Milligan.
In order, bill of the Senate,
No. — A bill to incorporate the Ohio and Mississippi Rail Road Company,
Was taken up, when,
Mr. McCarty offered the following amendment:

The State reserves the right to fix and regulate the rates of charges on said road, but shall not fix the same so low as not to yield 10 per cent. net profits on the capital invested.

Mr. Henry offered the following amendment to the amendment:
Amend section 20 by adding,
And provided further, that when the aggregate amount of dividends declared, shall amount to the sum of 10 per centum per annum, on the sum invested, the Legislature may so regulate the tolls and freights, that not more than 15 per centum per annum shall be divided on the capital invesied, and the surplus profit, if any, after paying the expenses, and retaining such portion as shall be necessary for future contingencies, shall be paid over to the Treasurer of State for the use of common schools, but the corporation shall not be compelled, by law, to reduce the tolls and freights, so that a dividend of 15 per centum per annum, cannot be made on the capital invested; and it shall be the duty of the corporation to furnish the legislature, if required, with a correct statement of the amount of expenditures, the amount of receipts, and the amount of profits, after deducting all necessary and proper expenses, which statement shall be made under the oath of the officer, whose duty it shall be, or who shall be required to make the same.

Mr. Ellis moved to lay the amendments on the table.
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, English, Ellis, Goodnow, Green, Hamrick, Holloway, Howel, Houghton, Hubbard, Huffstetter, James, Malott, Millikin, Montgomery, Morrison, Murphy, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Taber, Verbrike, Winchell, Zenor—34.

Those who voted in the negative are,

Messrs. Barbour, Coates, Day, Handy, Hardin, Henry, Marsh, Martin, McCarty, Miller, Milligan, Murray, Randall, Stewart, Walpole, Waters—16.

The amendments were laid on the table.
The following amendment was offered by Mr. Stewart:

Sec. — The directors of said company that shall contract any debts over and above the amount of good and solvent stock subscribed, shall be individually liable for the payment of such excess; and the legislature reserves the right to alter or amend this charter at any time, and to repeal the same, whenever its provisions shall have been violated by said company.

Mr. Cornett moved to lay the amendment on the table.
The ayes and noes were demanded by two Senators;

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Holloway, Howel, Houghton, Hubbard, James, Malott, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Winchell, Zenor—28.

Those who voted in the negative are,

Messrs. Barbour, Coates, Day, English, Green, Hamrick, Handy, Hardin, Henry, Huffstetter, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Randall, Read, Stewart, Verbrike, Walpole, Waters—20.

The amendment was laid on the table.

The following amendment was offered by Mr. Stewart:

Sec. — The legislature reserves the right to alter or amend this act of incorporation at any time, and to repeal the same by a vote of two thirds of each branch of the legislature, whenever the public good shall require it.

Mr. Osborn moved the previous question, which was seconded.

The question being, "shall the main question be now put?"

Which was decided in the affirmative.

The question being, "shall the bill be engrossed for a third reading?"

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, English, Ellis, Goodnow, Green, Hamrick, Holloway, Howell, Houghton, Hubbard, Huffstetter, James, Malott, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Taber, Verbrike, Winchell, Zenor—35.

Those who voted in the negative are,

Messrs. Barbour, Coats, Day, Handy, Hardin, Henry, Marsh, Martin, McCarty, Miller, Milligan, Randall, Stewart, Walpole, Waters—15.

The bill was ordered to be engrossed for a third reading.

Mr. Montgomery moved to take up bill

No. —. A bill to incorporate the Monticello Hydraulic Company;

Which was decided in the affirmative.

On motion,

The Senate adjourned.

THURSDAY MORNING, JANUARY 20, 1848.

The Senate assembled.

The Journal of the preceding day was read.

On motion by Mr. Green,

The previous order of business was suspended, and the following message of the House taken up.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills thereof:

No. 17. An act explanatory of the meaning of the 159th section of the 47th chapter of the Revised Statutes, and for other purposes;

No. 23. An act to locate a State road in the counties of Allen and DeKalb;

No. 25. An act explanatory of an act entitled "an act to secure to Ohio county a share of the common school and surplus revenue funds, and for other purposes," approved January 6, 1847.

No. 27. An act authorizing the revaluation of lands in Monroe and Irvin townships, Howard county;

No. 28. An act declaring a certain word in section 43, chapter 16, of the Revised Statutes of 1843, a misprint;

No. 31. An act relative to to the Probate Judges in the county of Porter;

No. 47. An act to provide for electing supervisors by districts in the counties of Miami and Montgomery;

No. 53. An act to locate a State road therein named;

In which the concurrence of the Senate is respectfully reqested.

No. 25. A bill contained in the above message;

Was read the first time; and,

On motion by Mr. Millikin,

The bill was read the second time, and referred to a select committee.

Messrs. Millikin, Green, and McCarty, were appointed said committee.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Milligan.

A petition of sundry citizens of Jay county, on the subject of a railroad from Portland to the Ohio State line;

Which,

On motion by Mr. Milligan,

Was referred to a select committee.

Messrs. Milligan, Day, and Randall, were appointed said committee.

By Mr. Goodnow.

A petition relative to the retail of ardent spirits; which,

On motion by Mr. Goodnow,

Was referred to the committee on finance.

By Mr. Stewart.

A petition for the relief of Peter Francis; which,

On motion by Mr. Stewart,

Was referred to the committee on claims.

By Mr. Murphy.

A petition of Mary Caughman, praying for a divorce; which,

On motion by Mr. Murphy,

Was referred to a select committee.

Messrs. Murphy, Berry, and Walpole were appointed said committee.

By Mr. Holloway.

A petition of the yearly meeting of Anti-Slavery friends, for the repeal of the black laws of this State;

Which was referred to the same select committee to which had been referred a petition on the same subject.

By Mr. Holloway.

A petition of 5000 citizens praying a repeal of the black laws of this State.

Which was referred to the same committee.

On motion by Mr. Randall,

The previous order of business was suspended, and bill of the House No. 23, was taken up, and read the first time;

On motion by Mr. Randall,

The rules were suspended, the bill read a second time, and referred toa select committee.

Messrs. Randall, Milligan, and Day, were appointed said committee.

Mr. Orth submitted the following report from the judiciary committee:

Mr. President:

The committee on the judiciary to which was referred Senate bill No. 94, entitled, "an act to amend the 10th chapter of the Revised Statutes of 1843, in relation to county surveyors," have had the same under consideration, and instructed me to report the same to the Senate, with the following amendments, to wit: Strike out the 3d, 4th, 5th, 6th, 7th, and 8th sections of the bill, and upon the adoption of said amendments, they recommend its passage.

The following amendment was offered by Mr. Goodnow:

Strike out the 6th section and insert, That either of the parties to the survey, may take evidence on the ground of the locality of the original corner, before some justice of the peace of the proper

township, which evidence shall be entered by the surveyor in a record book.

Mr. Handy moved to refer the bill and amendments, together with the following instructions by Mr. Morrison to a select committee.

The select committee to inquire into the expediency of adopting the following:

Be it enacted by the General Assembly of the State of Indiana; That whenever hereafter any person shall procure a license from the president judge of any of the judicial circuits of this State, for that purpose, they shall be authorized and empowered to act as surveyors in any county, contained in said judicial circuit, to be governed by the laws now in force in the State of Indiana. *Provided however* that it shall be the duty of the president judges to grant said licenses to survey, only upon the thorough examination of the applicant for said licence as to their qualifications.

Sec. 2d. *Be it further enacted,* That all surveys hereafter made by persons obtaining said licence according to the laws now in force shall be as binding and effectual as those made by a county surveyor.

Sec. 3d. *And be it further enacted,* That said licenced surveyors shall be entitled to demand and receive for their services as such licenced surveyors the same fees that are now allowed to county surveyors;

Which was so referred.

Messrs. Handy, Hubbard, and Rousseau, were appointed said committee.

Mr. Walpole made the following report from the judiciary committee:

Mr. President:

The committee on the judiciary to whom was referred a resolution of the Senate directing an enquiry into the expediency of modifying section 22, chapter 47 of the Revised Statutes of 1843, so as to authorize justices of the peace to issue capias ad respondendum in cases where the defendants are about to leave the county, report that such modification ought not to be made.

Mr. Robinson moved to refer the report to a select committee with instructions to enquire into the expediency of passing such a law;

Which motion did not prevail.

Mr. Stewart moved to lay the report on the table.

The ayes and noes being demanded by two Senators;

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Cassatt, Coats, Conner, Cornett, Day, Davis, Ellis, English, Green, Hamrick, Handy, Hardin, Henry, How-

ell, Miller, Montgomery, Morrison, Murray, Randall, Rousseau, Stewart, Verbrike, Walpole, Waters, Winchell—27.

Those who voted in the negative are,

Messrs. Beard, Chenowith, Conduit, Goodnow, Holloway, Houghton, Hubbard, James, Malott, Marsh, Martin, Milligan, Millikin, Murphy, Orth, Osborn, Read, Robinson, Simpson, Taber, Zenor—21.

The report was laid on the table.

Mr. Goodnow submitted the following report from the committee on roads :

Mr. President :

The committee on roads, to whom was referred the petition of sundry citizens of the town of Lawrenceburgh, praying the repeal of an act of the last session of the Legislature, by which a State road within said township was vacated ; also the remonstrance of several citizens of the same place against the repeal of the aforesaid act, have had the same under consideration, and have directed me to report that in the opinion of the committee, any legislation on the subject is unnecessary.

Which was concurred in by the Senate.

Mr. Davis submitted the following report from the committee on the State Bank :

Mr. President :

The committee on the State Bank to which was referred sundry petitions asking the establishment of additional bank districts, have had the same under consideration, and have instructed me to report the following bill and recommend its passage ;

No. 136. A bill authorizing the establishment of additional branches of the State Bank ;

Which was read the first time, and ordered to a second reading.

Mr. Handy submitted the following report from the committee on corporations :

Mr. President :

The committee on corporations to whom was referred bill of the Senate No. 77, entitled "a bill to incorporate the Madison and Brownstown turnpike company, have had the same under consideration, and a majority of said committee have directed me to report the same back to the Senate with one amendment, and recommend its passage as amended.

Amend by striking out the 29th section ;

Which was concurred in.

Mr. Handy offered the following amendment :

The Legislature reserves the right to alter, amend, or repeal, this charter at pleasure.

Mr. Goodnow moved to lay the amendment on the table ;

On which the ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Green, Hamrick, Holloway, Howell, Houghton, Hubbard, James, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Waters, Winchell, Zenor—32.

Those who voted in the negative are,

Messrs. Barbour, Coats, Day, English, Handy, Hardin, Henry, Huffstetter, Malott, Marsh, Martin, Miller, Milligan, Morrison, Randall, Read, Stewart—17.

The amendment was laid on the table.

The bill was read a second time and ordered to be engrossed.

Mr. Houghton submitted the following report from the committee on corporations :

Mr. President :

The committee on corporations to whom was referred the petition of the citizens of the town of Huntington praying an act of incorporation, have had the same under consideration, and directed me to report the following bill in compliance with the prayer of the petitioners.

No: 137. An act incorporating the town of Huntington ;

Which was read the first time, and ordered to a second reading.

Mr. Hubbard made the following report from the committee on corporations :

Mr. President :

The committee on corporations to which was referred bill No. 48 incorporating the "Rushville and Lawrenceburgh railroad company," have had the same under consideration, and directed me to report the same back to the Senate, with the following amendments, and on their adoption, recommend its passage :

Amend the 32d section by inserting after the word "indirectly," "*issue any scrip.*"

Add the following section :

Sec. 36. The Legislature reserves to itself the right at any time to alter or amend this charter, two thirds of both branches of the Legislature concurring therein.

Which was concurred in by the Senate.

The bill was read a second time, and ordered to a third reading.

Mr. Millikin submitted the following report from the committee on corporations :

MR. PRESIDENT :

The committee on corporations to whom was referred bill of the Senate No. 118, to incorporate the Ripley county Medical Society, have had the same under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage ;

Which bill was read a second time, and ordered to be engrossed, for a third reading.

Mr. Hubbard submitted the following report from the committee on corporations :

MR. PRESIDENT :

The committe on corporations to whom was referred bill No. 110 "to incorporate the junction rail road company," have had the same under consideration, and directed me to report the same back, with the following amendment, for the further action of the Senate :

Strike out of the 17th section, all after the word 'company,' where it occurs last in said section.

Mr. Walpole moved to lay the amendment of the committee on the table.

Mr. Handy moved to lay the bill, together with the amendment of the committee, on the table.

A division of the question being called for ;

The question being on laying the amendment of the committee on the table ;

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Cornett, Davis, Ellis, Houghton, Hubbard, Murray, Orth, Osborn, Robinson, Simpson, Walpole, Winchell—16.

Those who voted in the negative are,

Messrs. Barbour, Coats, Conner, Day, English, Goodnow, Green,

Hamrick, Handy, Hardin, Henry, Howell, Holloway, Huffstetter, James, Malott, Marsh, Martin, Miller, Milligan, Millikin, Montgomery, Morrison, Murphy, Randall, Read, Rousseau, Stewart, Taber, Verbrike, Waters, Zenor—32.

The amendments were not laid on the table.

On motion,

The Senate adjourned.

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2 o'clock, P. M.

The Senate assembled.

The previous order of business being suspended,

Mr. Walpole presented the remonstrance of William Caldwell and others, relative to a State road ; which,

On motion by Mr. Walpole,

Was referred to a select committee ; of

Messrs. Walpole, Conner, and Hubbard.

The question being on the adoption of the amendments proposed by the committee, which was pending on adjournment ;

The amendments were adopted.

Mr. Stewart offered the following amendment :

The Legislature reserves the right to alter, amend, or repeal this act of incorporation at any time, by a vote of two-thirds of each branch of the Legislature.

Mr. Hubbard moved to lay the amendment on the table ;

The question being on laying the amendment on the table ;

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Winchell, Zenor—25.

Those who voted in the negative are,

Messrs. Barbour, Coats, Day, English, Green, Handy, Hardin, Henry, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Stewart, Waters—21.

The amendment was laid on the table.

Mr. Henry offered the following amendment:

The stockholders of this corporation shall be liable in their individual capacity for the payment of debts of such company for work and labor done for said corporation, for an amount equal to the amount of stock they severally have subscribed or hold in said company over and above such stock to be recovered of the stockholder, who is such when the debt is contracted, or of any subsequent stockholder. And any stockholder who may have paid any demand against such company, either voluntarily or by compulsion, shall have the right to resort to the rest of the stockholders who are so liable to contribution; and the dissolution of such company shall not release or effect the liability of any stockholder which may have been incurred before such dissolution.

Mr. Hubbard moved the previous question;

Which was seconded by the Senate.

The question being "shall the main question be put?"

Which was decided in the affirmative.

The question being 'shall the bill be engrossed for a third reading?'

The ayes and noes being demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Goodnow, Green, Hamrick, Holloway, Houghton, Hubbard, James, Malott, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Winchell, Zenor—32.

Those who voted in the negative are,

Messrs. Barbour, Coats, Day, English, Handy, Hardin, Henry, Huffstetter, Marsh, Martin, McCarty, Milligan, Randall, Stewart, Waters—15.

Ordered, That the bill be engrossed for a third reading.

On motion by Mr. Simpson,

The rules were suspended, the bill read a third time,

The question being 'shall the bill pass?'

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, English, Goodnow, Green, Hamrick, Holloway, Howell, Houghton, Hubbard, Huffstetter, James, Malott, Martin, McCarty, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Waters, Winchell, Zenor—38.

Those who voted in the negative are,

Messrs. Barbour, Coats, Day, Handy, Hardin, Henry, Marsh, Miller, Milligan, Randall, Stewart—11.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Millikin submitted the following report from the committee on corporations:

MR. PRESIDENT:

The committee on corporations to whom was referred bill of the Senate No. 53, have had the same under consideration, and directed me to report the same back to the Senate, with two amendments, and on the adoption of which, to recommend its passage;

1st. Strike out section 17, and insert the following:

That when the aggregate amount of dividends declared, shall amount to the full sum invested, and ten per cent. per annum thereon, the Legislature may so regulate the tolls, and freights, that not more than fifteen per centum per annum, shall be divided on the capital employed, and the surplus profits, if any, after paying the expenses, and receiving such proportion as may be necessary for future contingencies, shall be paid over to the Treasurer of State for the use of common schools, but the corporation shall not be compelled by law to reduce the tolls and freights, so that a dividend of fifteen per cent. per annum, cannot be made, and it shall be the duty of the corporation to furnish the Legislature, if required, with a correct statement, of the amount of expenditures, and the amount of profits after deducting all expenditures, which statement shall be made under the oath of the officers whose duty it shall be to make the same.

2d. Strike out all of the 21st section which relates to exempting the stock from taxation, to wit:

"The stock subscribed to said company, shall be exempt from taxation until said road is in operation."

Mr. Beard moved to lay the first amendment of the committee on the table;

Which motion prevailed.

The question being on the adoption of the second amendment proposed by the committee;

Mr. Beard moved to lay the amendment on the table;

Upon which the ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Chenowith, Conduit, Cornett, Davis, Ellis, Goodnow, Holloway, Houghton, Hubbard, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Walpole, Zenor—20.

Tkose who voted in the negative are,

Messrs. Barbour, Berry, Cassatt, Conner, Day, English, Green, Hamrick, Handy, Hardin, Henry, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Montgomery, Morrison, Randall, Stewart, Taber, Waters—26.

The amendment was not laid on the table.
The question recurring on the adoption of the amendment:
The amendment was adopted.
Mr. Beard moved to strike out the remainder of the 21st section.
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, James, Montgomery, Murphy, Murray, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Winchell, Zenor—29.

Those who voted in the negative are,

Messrs. Barbour, Day, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Stewart, Waters—20.

The remainder of section 21 was so stricken out.
Mr. Beard moved to strike out the 22d section.
The ayes and noes being demanded by two Senators;

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Howell, Houghton, Hubbard, James, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Waters, Winchell, Zenor—29.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy Hardin, Henry, Huffstetter, Malott, Marsh, Martin, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart—21.

Which motion was determined in the affirmative.
The following message was received from the House, by Mr. Ward their clerk:

MR, PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill of the Senate, without amendment:

No. 92. An act to fix the time of holding Probate courts in Shelby county.
Mr. Stewart moved that the Senate adjourn;
Which motion did not prevail.
Mr. Henry offered the following amendment:
The stockholders of this corporation shall be liable in their individual capacity for the payment of the debts of such corporation, for work and labor done for said corporation, for an amount equal to the amount of stock they severally have subscribed, or hold in said corporation; over and above such stock, to be recovered of the stockholder, who is such when the debt is contracted, or of any subsequent stockholder, and any stockholder who may have paid any demand against said company, either voluntarily or by compulsion, shall have the right to resort to the rest of the stockholders, who were so liable, for contribution; and the dissolution of such company shall not release or affect the liability of any stockholder, which may have been incurred before such dissolution.
Mr. Millikin offered the following amendment to the amendment:
Amend by striking out "stockholders," and inserting "directors."
Mr. Ellis moved to lay the amendment on the the table.
The ayes and noes being demanded by two Senators;

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, James, Malott, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Winchell, Waters, Zenor—31.

Those who voted in the negative are,

Messrs. Barbour, Day, English, Green, Hardin, Handy, Henry, Huffstetter, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Randall, Read, Stewart—17.

The amendments were laid on the table.
Mr. Beard offered the following amendments:
Sec. — That, in all cases, where any person through whose land

the road may run, shall refuse to relinquish the same, or where a contract between the parties cannot be made, it shall be lawful for the corporation to give notice to some justice of the peace, in the county where the difficulties may occur, that such facts do exist; such justice of the peace shall thereupon summon the owners of such land, to appear before him on a particular day, within ten days thereafter, and shall appoint twelve disinterested persons, of the neighborhood, who shall, after taking an oath, faithfully and impartially to assess the damages, if any, view the land and materials, and after having taken into consideration, the advantages as well as the disadvantages the road may be to the same, and shall report thereon, whether such person is entitled to damages or not, and if so, how much, and shall file such return, with such justice. Whereupon said justice shall enter judgment thereon, unless for good cause there shown; and in case either party should show sufficient cause why judgment should not be entered, the justice may grant a review of the premises, either with, or without costs.

Provided: That either party may at any stage of the proceedings appeal to the circuit court of the proper county, as in other cases, and such court shall appoint reviewers as above directed, who may report at that or the next succeeding term, in the discretion of the court, and the judgement of the circuit court shall be final.

Sec. 16. And in all cases where the owner of such land or materials shall be minors, insane persons, or shall reside out of the county where such land may be, such justice shall cause three notices of the application made, and of the day fixed for the appointment of reviewers, to be posted up in three of the most public places in the county and if no person shall attend on the day named in said notice, said justice shall adjourn the same until that day two weeks; at which time he shall proceed as if such person or persons had been duly notified to attend; and on such judgment being rendered, and the corporation complying therewith by payment of costs or damages awarded against them, the corporation shall be seized of the land or materials. Costs shall be awarded against either party, at the discretion of the justice.

Mr. Verbrike offered the following amendment to the amendment:

Amend the 12th section, by inserting in the 4th line after the words Montgomery county, "to Danville, in Hendricks county."

Mr. Beard moved to lay the amendment to the amendment, on the table.

The ayes and noes being demanded by two Senators;

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Cassatt, Coats, Conner, Cornett, Day, Davis, English, Ellis, Goodnow, Green, Holloway, Howell, Houghton, Hubbard, Huffstetter, James, Malott, Martin, McCarty, Miller, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Stewart, Taber, Waters, Winchell Zenor—39.

Those who voted in the negative are,

Messrs. Hamrick, Handy, Hardin, Milligan, Randall, Verbrike, Walpole—7.

The amendment to the amendment was laid on the table.

The question being on the adoption of the amendment proposed by Mr. Beard;

The amendment was adopted.

The bill was ordered to be engrossed for a third reading.

On motion by Mr. Millikin,

The previous order of business was suspended and the following message of the House was taken up:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate with amendments:

No. 114. An act to amend an act entitled "an act to incorporate the White-water valley canal company," approved January 20th, 1842.

In which amendments of the House, the concurrence of the Senate is respectfully requested.

Engrossed amendments of the House of Representatives to Senate bill No. 114, entitled, "an act to amend an act entitled an act to incorporate the White Water valley canal company, approved January 20, 1842.

Amend the fifth line in the first section by inserting after the word "amount," "not less than twenty dollars."

Amend the 7th line in the first section after the word "interest," "not to exceed ten per centum per annum.

Strike out all after the word "bonds," in the 24th line and insert the following proviso:

Provided further, that nothing in this act, shall be so construed, as to render the State liable for the payment of the bonds hereby authorized to be issued, in case of the redemption of said canal by the State.

Also add the following sections to said bill:

Sec. — Said company shall be and are hereby authorized to transfer that portion of said canal between Harrison and Lawrenceburgh to the city of Lawrenceburgh, through its proper authorities as may be agreed upon by said parties;

Provided: That the transfer so made, shall obligate the said city to put that portion of said canal hereby authorized to be relinquished in good repair, and keep the same in good navigable condition, and that such transfer, hereby authorized, shall not conflict or in any

manner prejudice the interest of the State of Indiana, in case she may at any time see proper to redeem said canal. *Provided, further:* That nothing in this action shall be so construed as to release said company to keep said part of said canal in repair, in the event the city of Lawrenceburgh, should refuse to accept said canal hereby authorized to be relinquished.

SEC. — The second proviso in the second section of said act is hereby repealed.

Adopted by the House of Representatives;

M. S. WARD,
Clerk.

January 20, 1848.

Mr. Handy moved the Senate adjourn.

The ayes and noes being demanded by two Senators;

Those who voted in the affirmative, are,

Messrs. Berry, Cornett, Day, Handy, Hardin, Miller, Randall, Taber—8.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conner, Davis, Ellis, Goodnow, Green, Hamrick, Henry, Holloway, Howell, Houghton, Hubbard, Huffstetter, James, Malott, McCarty, Milligan, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Read, Robinson, Simpson, Stewart, Verbrike, Walpole, Winchell—32.

The motion was determined in the negative.

The question being on the adoption of the engrossed amendments of the House, the 1st, 2nd, 3d, and 4th, amendments were adopted.

The question being on the adoption of the 5th engrossed amendment of the House;

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Howell, Houghton, Hubbard, Huffstetter, James, Malott, Millikin, Montgomery, Murray, Murphy, Orth, Osborn, Read, Robinson, Simpson, Walpole, Winchell—27.

Those who voted in the negative are,

Messrs. Berry, Day, Green, McCarty, Miller, Milligan, Taber—7.

The amendment of the House was adopted.

On motion,

The Senate adjourned.

FRIDAY MORNING, JANUARY 21, 1848.

The Senate assembled.

The journal of the preceding day was read.

On motion by Mr. Green,

The previous order of business was suspended; and the following message of the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bills thereof:

No. 105. An act to change the name of Ellen Narcissa Brown to Ellen Maria Graham, and for other purposes;

No. 151. An act changing the time of holding the probate courts in the counties of Jefferson, Switzerland, and Ohio;

In which the concurrence of the Senate is respectfully requested.

No. 151. A bill of the House;

Was read the first time.

On motion by Mr. Green,

The rules of the Senate were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

No. 105. A bill of the House;

Was read the first time, and ordered to a second reading.

On motion by Mr. Green,

The order of business was further suspended, and the following message of the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bills thereof:

No. 9. An act granting to the citizens of Rising Sun a city charter;

No. 33. An act to amend an act entitled an act to incorporate the College Corner and Liberty Turnpike Company, and the Liberty and Abington Turnpike Company, approved January 15, 1844 and all other acts amendatory thereto;

No. 36. An act to authorize the board doing county business in Orange county, to dispense with a road tax;
No. 37. An act to incorporate the Connersville Hotel Company;
No. 40. An act to encourage the growth of cranberries in the county of Allen, and for the protection of cranberry marshes;
No. 42. An act to provide for the selection of petit jurors in the county of Warren;
No. 43. An act for the relief of Dorothy Owens and others;
No. 45. An act to extend the jurisdiction of justices of the peace in the counties of Lake and Porter;
No. 46. An act to fix the time of holding the probate courts in the county of Putnam;
No. 52. An act for the selecting of jurors in the county of Delaware;
No. 55. An act for the relief of Collins Adams, of St. Joseph county;
No. 59. An act to authorize the trustees of school district No. 1, township 37 north, range 5 east, in Elkhart county, to raise an additional tax;
No. 61. An act authorizing the trustees of school district No. 5, in township 37 north, of range 3 east, in St. Joseph county, to levy a tax to finish a school house in said district;
No. 62. An act to incorporate the Botanic Medical society of Decatur county;
No. 64. An act to incorporate the Laporte female seminary;
No. 66. An act to abolish the office of school commissioner of Floyd county, and for other purposes;
No. 68. An act leaving it discretionary with the board of commissioners of Delaware county, what compensation they shall allow supervisors for making their returns;
No. 71. An act to amend the 22d section of an act of the Revised Statutes, entitled an act for the relief of the poor;
No. 75. An act relating to road tax in Posey county;
No. 76. An act to amend an act entitled an act to authorize the people of Fayette, and other counties therein named, to elect seminary trustees;

In which the concurrence of the Senate is respectfully requested.

No. 9. A bill (of the House) contained in the message;
Was read the first time, and the rules being suspended, the bill was read a second time, and
On motion by Mr. Green,
Was referred to the committee on corporations.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

Mr. Green presented a petition and accompanying remonstrance,

of the citizens of the town of Rising Sun, relative to the incorporation of said town; which,
On motion by Mr. Green,
Was referred to the committee on corporations.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill of the Senate, without amendment:

No. 122. An act for the relief of the heirs of Louisa Jane Cassatt;

The previous order of business being further suspended,
Mr. Montgomery moved to take from the table the report of the trustee of the Wabash and Erie canal;
Which was agreed to.
Mr. Montgomery moved to refer so much of the report and accompanying documents, as refer to the construction of side cuts at Independence and Williamsport, and the supplying water for said canal between Lafayette and Coal creek, to a select committee.
Which was so referred.
Senators Montgomery, Orth, Stewart, Walpole, English, Holloway, and Millikin.
On motion by Mr. Berry,
The report of the Warden of the State prison was taken from the table, and referred to the committee on the State prison.
By Mr. Stewart,
A petition of the Secretary of State to the Senate; which,
On motion by Mr. Stewart,
Was referred to a select committee of five.
Senators Holloway, Hardin, Zenor, Marsh, and Beard were appointed said committee.
By Mr. Huffstetter,
A petition and accompanying remonstrances, relative to vacating a certain State road therein named; which,
On motion by Mr. Huffstetter,
Was referred to the committee on roads.
By Mr. Randall,
A remonstrance of the citizens of Allen and DeKalb counties, against locating a certain State road therein named; which,
On motion by Mr. Randall,
Was referred to the select committee to which bill of the House No. 23, on the same subject, was referred.
Mr. Orth gave notice that he would on to-morrow move to add the following rule to the Standing Rules of the Senate:

That a motion to lay on the table shall be decided without debate.

Mr. Day made the following report, from a select committee:

MR. PRESIDENT:

The committee to whom was referred the petition of Rufus Johnson, and other citizens of Union township, in the county of St. Joseph, Indiana, praying the passage of an act to raise the road tax on the land in said township, to double the present amount levied for road purposes, have had the same under consideration, and have directed me to report the following bill, and recommend its passage:

No. 138. A bill levying a road tax in the township of Union, in St. Joseph county;

Which was read the first time; and,
On motion by Mr. Day,
The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Barbour submitted the following report, from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to which was referred bill of the Senate No. 100, a bill to amend the record of the town of Huntington, have instructed me to report the same back to the Senate without amendment, and recommend its passage.

Which bill was read the first time.
The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Green submitted the following report, from the committee on corporations:

MR. PRESIDENT:

The committee on corporations, to whom was referred bill No. 3, a bill to incorporate the Richmond University, have directed me to report it to the Senate, and recommend its passage.
On motion by Mr. Holloway,
The bill was laid on the table.

Mr. Murray submitted the following report, from the committee on claims.

MR. PRESIDENT:

The committee on claims, to whom was referred the claim of A. G. Selman, have directed me to report the following bill, and recommend its passage:

No. 139. A bill for the relief of A. G. Selman;

Which was read the first time, and ordered to a second reading.
Mr. Milligan submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred the petition of sundry citizens of Jay county, on the subject of a Railroad, have had the same under consideration, and directed me to report the following bill, and recommend its passage:

No. 140. A bill to incorporate the Portland and Ohio Railroad Company;

Which was read the first time, and ordered to a second reading.
Mr. Hardin submitted the following report, from the committee on enrolled bills:

MR. PRESIDENT:

The committee on enrolled bills have compared bills of the Senate, Nos. 5 and 92, with the originals, and find them correctly enrolled.

Mr. Miller submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred the petition of M. G. C. Hargrove and others, on the subject of regulating the granting of license to retail spirituous liquors in the county of Gibson, have had the same under consideration, and have directed me to report the following bill, and recommend its passage:

No. 141. A bill regulating the granting of license to retail spirituous liquors in the counties of Gibson and Posey.

Which was read the first time, and ordered to a second reading.

Mr. Martin submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred the petition of citizens of Lagrange county, praying for the passage of an act authorizing the commissioners of said county to sell the county seminary building of said county, have had the same under consideration, and have directed me to report the following bill, and recommend its passage:

No. 142. An act authorizing the commissioners of Lagrange county, to sell the building erected for the purpose of a county seminary in said county;

Which was read the first time, and ordered to a second reading.

Mr. English submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred bill No. 121, to amend an act entitled an act to incorporate the Ohio and Indianapolis Railroad Company, approved January 20, 1846, have had the same under consideration, and made two amendments, and when adopted, a majority of said committee recommend its passage:

Strike out from the second section, after the word "company" in the first line, to the word "*shall*," in the fifth line.

Strike out the 6th section, and insert in lieu thereof: Said company may, in any of its proceedings, adopt the provisions of the law of 1842, hereinbefore referred to, or of the act to which this is an amendment; and no act heretofore passed, or any thing done or to be done by said company, or the commissioners thereof, in opening books, taking subscriptions of stock, or in constructing said road, shall in any way vitiate the privileges conferred on said company, provided it shall proceed, hereafter, according to the provisions of such portions of either of said acts as said company may elect.

Which were concurred in by the Senate.

Mr. Barbour offered the following amendment:

Strike out from the second section, the words "to extend the work from Jeffersonville to any other points than those indicated in the act to which this is an amendment;" and,

The question being on the adoption of the amendment,

The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Barbour, Conduit, Conner, Day, Marsh, Miller, and Stewart—7.

Those who voted in the negative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Coats, Cornett, Davis, Ellis, English, Goodnow, Green, Hamrick, Henry, Holloway, Howell, Houghton, Huffstetter, Malott, Martin, McCarty, Milligan, Millikin, Montgomery, Morrison, Murphey, Murray, Orth, Osborn, Randall, Read, Robinson, Rousseau, Simpson, Taber, Verbrike, Waters, Winchell, and Zenor—38.

The amendment was not adopted.

Mr. Barbour offered the following amendment:

Amend the second section:

Provided, That Charlestown, in Clark county, shall be made a point.

Mr. Read moved the previous question; on the seconding of which,

The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Berry, Cassatt, Chenowith, Coats, Cornett, Davis, English, Ellis, Goodnow, Green, Hamrick, Hardin, Holloway, Howell, Houghton, Hubbard, Huffstetter, Malott, McCarty, Milligan, Montgomery, Morrison, Murphey, Murray, Orth, Osborn, Randall, Read, Robinson, Simpson, Taber, Verbrike, Waters, Winchell, and Zenor—36.

Those who voted in the negative are,

Messrs. Barbour, Conduit, Day, Henry, Marsh, Miller, Milligan, and Stewart—8.

The previous question being seconded, the question then was, "Shall the bill be engrossed for a third reading?" on which

The ayes and noes were demanded by two Senators:

Those who voted in the affimative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conner, Cornett, Davis, English, Ellis, Goodnow, Green, Hamrick, Holloway, Howell, Houghton, Hubbard, Huffstetter, James, Malott, Martin, McCarty, Montgomery, Morrison, Murphey, Murray, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Taber, Verbrike, Waters, Winchell, and Zenor—36.

Those who voted in the negative are,

Messrs. Barbour, Coats, Conduit, Day, Hardin, Henry, Marsh, Milligan, Randall, and Stewart—10.

The bill was ordered to be engrossed for a third reading.

Mr. Hardin submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred bill of the Senate No. 94, being a bill to amend the 10th section of the Revised Statutes of 1843, in relation to the duties of county surveyors, with several proposed amendments, have had the same under consideration, and instructed me to report the same back to the Senate with two amendments, and upon their adoption, to recommend its passage:

1st. Strike out the sixth section.

2d. Incorporate the following section in the bill:

Sec. —. All flag-bearers, or markers, who may be employed by county surveyors, or their deputies, in the performance of any official duty which may be required of such surveyors, shall take an oath for the faithful discharge of their respective duties; and such surveyors, and their deputies, are hereby authorized to administer such oath.

Which amendments were concurred in by the Senate.

The bill ordered to be engrossed for a third reading.

Mr. Millikin submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred bill of the House No. 25, have had the same under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage:

No. 25. An act to amend an act entitled an act to secure to Ohio county, a share of the common school and surplus revenue funds, and for other purposes, approved January 26, 1847.

Which was read a second time.

The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Simpson submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred the petition of sundry citizens of the counties of Wayne, Fayette, and Union, on the subject of a Turnpike road, running from Milton, in Wayne county, to Waterloo, in Fayette county, and to Brownsville, in Union county, have had the same under consideration, and have instructed me to report the following bill, and recommend its passage:

No. 143. An act to incorporate ihe Milton and Waterloo Turnpike Company.

Which was read the first time, and ordered to a second reading.

Mr. Cassatt submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to which was referred Senate bill No. 41, providing for the re-appraisement of certain Wabash and Erie canal lands, have had that subject under consideration, and direct me to report the following amendment:

Strike out the originall bill, from the enacting clause, and insert the following:

Section 1. That the time for re-appraising the Wabash and Erie canal lands, as provided by an act entitled an act supplemental to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie canal to Evansville, approved January 19th, 1846, approved January 27th, 1847, be, and the same is hereby, extended until the first day of October, 1848.

Sec. 2. Sections 23, 25, 26, and 27, of the act above referred to, are hereby declared to be in full force.

Sec. 3. It shall be the duty of the appraisers appointed under the provisions of the sections referred to in the preceding section, to examine all Wabash and Erie canal lands, which have not heretofore been examined and re-appraised, and re-appraise the same, at their true cash value, without regard to the improvements thereon, and make report thereof in writing, on or before the first day of October, 1848, to the Auditor of State, and also to the trustees of the Wabash and Erie canal, setting forth the appraised value of each tract of land so examined.

Sec. 4. If, in any case, the purchaser or owner of any of such Wabash and Erie canal lands may have already paid to the State an amount over and above the sum at which the same may be reappraised by said appraisers, it shall be the duty of persons having charge of the Land office, to issue to such purchaser or owner, a certificate for the said sum so overpaid, which certificate shall be received in payment for any other of the same description of Wabash and Erie canal lands. And, in like manner, any owner of a certificate of purchase of Wabash and Erie canal lands, whose land has been re-appraised, and reduced by the provisions of this act,

and not paid for, shall have a credit on the books of the proper canal Land office, for any excess which may appear due the State, over and above such reappraised value.

Sec. 5. This act to be in force from and after its passage and publication, a copy thereof filed in the canal land office.

Which amendments were concurred in by the Senate.

The bill read and ordered to be engrossed for a third reading.

Mr. Cassatt submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred Senate bill No. 135, entitled a bill for the relief of John Boone, have had the same under consideration, and have directed me to report the same back to the Senate, with the following amendment, and when so amended, recommend its passage:

Amend as follows: after the words "shall be," in the second section, "a public act, and"—

Which amendment was concurred in by the Senate.

The bill read, and ordered to be engrossed for a third reading.

Mr. Holloway submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to which was referred sundry petitions from citizens of Wayne county, relative to the National road in said county, have had the same under consideration, and have directed me to report the following joint resolution, and recommend its passage:

No. 144. A joint resolution relative to the National road.

Which was read the first time, and ordered to a second reading.

Mr. Taber submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred the petition of sundry citizens of Cass and White counties, asking the passage of a law for the draining of swamps and wet lands, have had the same under consideration, and a majority of the committee have directed me to report the following bill, and respectfully recommend its passage:

No. 145. A bill to provide for draining swamps and wet lands.

Which was read the first time.

The rules being suspended, the bill was read a second time, and,

On motion by Mr. Berry,

Was referred to the judiciary committee.

Mr. Berry submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred the petition of sundry citizens of Monroe and Lawrence counties, on the subject of a mail route, have had the subject under consideration, and have directed me to report the following joint resolution:

No. 146. A joint resolution relative to a mail route from Salem to Bloomington, Indiana.

Which was read the first time, and ordered to a second reading.

Mr. Orth submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to which was referred the petition of the citizens of Granville, in Tippecanoe county, praying for a change in the name of said town, have had the same under consideration, and instructed me to report the following bill, and respectfully recommend its passage:

No. 147. A bill (of the Senate) to change the name of Granville, in Tippecanoe county.

Which was read the first time, and ordered to a second reading.

Mr. Orth submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to which was referred the petition of sundry citizens of Tippecanoe county, praying for the vacation of a portion of a State road in said county, have had the same under consideration, and instructed me to report the following bill, and respectfully recommend its passage:

No. 148. A bill (of the Senate) to vacate a part of a State road in Tippecanoe county.

Which was read the first time, and ordered to a second reading.

Mr. Orth submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to which was referred the petition of sundry citizens of Tippecanoe county, praying for relief to the members of the Wabash Fire Company, have had the same under consideration, and instructed me to report to the Senate the following bill, and respectfully recommend its passage:

No. 149. A bill (of the Senate) for the relief of the members of the Wabash Fire Company, in Lafayette.

Which was read the first time, and ordered to a second reading.

Mr. Orth submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to which was referred the petition of sundry citizens of Tippecanoe county, praying for an act incorporating the Tippecanoe Guards, have had the same under consideration, and instructed me to report the following bill, and respectfully recommend its passage:

No. 150. A bill (of the Senate) to incorporate the Tippecanoe Guards, in Tippecanoe county.

Which was read the first time, and ordered to a second reading.

Mr. Hardin made the following report, from the committee on enrolled bills:

MR. PRESIDENT:

The committee on enrolled bills, have this day presented to the Governor, for his approval and signature, bills of the Senate Nos. 5 and 92.

Mr. Hardin made the following report, from the committee on enrolled bills:

MR. PRESIDENT:

The committee on enrolled bills, have compared enrolled bill of the Senate No. 114, with the original, and find it correctly enrolled.

On motion by Mr. Verbrike,
Leave of absence was granted to Mr. Handy.
On motion by Mr. Barbour,
Leave of absence was granted to Mr. Walpole.

Mr. Read submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to whicn was referred a petition of the citizens of the town of Jeffersonville, praying for an amendment in their city charter, have had the same under their consideration, and have directed me to report the following bill, and recommend its passage:

No. 151. An act to amend an act to incorporate the city of Jeffersonville, approved January 27, 1847.

Which bill was read the first time, and ordered to a second reading.

On motion by Mr. Davis,
The previous order of business was suspended, and
No. 27. A bill (of the Senate,) was taken up, read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Miller moved the Senate adjourn.
Which was not agreed to.

On motion by Mr. Ellis,
The order of business was further suspended, and
No. 90. A bill (of the Senate) was taken up, pending which,
On motion,
The Senate adjourned till 2 P. M.

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2 O'clock, P. M.

The Senate assembled.

Leave being granted,

Mr. Millikin made the following report, from the committee on corporations:

MR. PRESIDENT:

The committee on corporations, to whom was referred bill of the House No. 9, have had the same under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage:

No. 9. A bill granting the town of Rising Sun a city charter.

Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

The previous order of business being resumed, and
Bill No. 90 being the order of business,
Mr. Henry moved to refer it to a select committee, with the following instructions:
Strike out the section which reads as follows:

Sec. 28. That the stock and property of said company shall in no case be subject to taxation, until said road is completed and in operation; and thereafter shall be subjeet to no other tax, except upon the stock, and that not beyond an *ad valorem* tax, to-wit: the same rate levied upon other property, upon the actual cost of construction of said road, within the State of Indiana, and that for State purposes only.

A division of the question being called for, and
The question being on referring the bill to a select committee,
The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Barbour, Cassatt, Coats, Conner, Day, Goodnow, Hamrick, Hardin, Henry, Marsh, Martin, McCarty, Miller, Milligan, Montgomery, Randall, Read, Stewart, Taber, and Waters—20.

Those who voted in the negative are,

Messrs. Beard, Berry, Chenowith, Conduit, Cornett, Davis, English, Ellis, Green, Holloway, Howell, Houghton, Hubbard, James, Malott, Millikin, Morrison, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Winchell, and Zenor—26.

The bill was not so referred.
The question being on the passage of the bill,
The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Beard, Berry, Chenowith, Conduit, Conner, Cornett, Davis, English, Ellis, Goodnow, Green, Holloway, Howell, Houghton, Hubbard, Huffstetter, James, Malott, Millikin, Morrison, Murphy, Murray, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Verbrike, Winchell, and Zenor—31.

Those who voted in the negative are,

Messrs. Barbour, Coats, Day, Hamrick, Hardin, Henry, Marsh, Martin, McCarty, Miller, Montgomery, Randall, Stewart, Taber, and Waters—15.

So the bill was passed.

Ordered, That the Secretary inform the House thereof.

No. 2. A bill to authorize the qualified voters of the several counties of this State, to vote for or against a convention for the revision of the Constitution;

Being the special order of business, was taken up, when
Mr. Orth moved to indefinitely postpone the bill.
The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Marsh, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Winchell, and Zenor—23.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Conduit, Day, English, Green, Hardin, Henry, Howell, Hubbard, Huffstetter, James, Malott, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, and Waters—25.

The bill was not so postponed.
On motion by Mr. Stewart,
A call of the Senate was ordered, and the Sergeant-at-Arms despatched for the absentees.
The question being, "Shall the bill be engrossed for a third reading?"
The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Conduit, Day, English, Green, Hardin, Henry, Howell, Hubbard, Huffstetter, James, Malott, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, and Waters—25.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Marsh, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Winchell, and Zenor—23.

The bill was ordered to be engrossed for a third reading.
Mr. Howell offered the following resolution:

Resolved, That the Senate will, the House concurring therein, adjourn *sine die* on Monday, the 7th of February next, 1848.

Mr. Montgomery moved to lay the resolution on the table.
The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Cornett, Day, Davis, English, Green, Hamrick, Henry, Holloway, Houghton, Hubbard, Montgomery, Morrison, Murray, Osborn, Robinson, Rousseau, Simpson, Stewart, Taber, Verbrike, Waters, and Winchell—25.

Those who voted in the negative are,

Messrs. Beard, Coats, Conduit, Conner, Ellis, Goodenow, Hardin, Howell, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Murphy, Orth, Randall, Read, and Zenor—23.

The resolution was laid on the table.
The following message was received from His Excellency, the Governor, by his private Secretary, Mr. James M. Sleeth:

Mr. President:

I am directed by the Governor, to inform the Senate that he did, on the 18th inst., approve and sign bill No. 44, entitled an act relative to the Marion circuit court; and that he did on this day approve and sign the following bills, to-wit:
No. 5. Entitled an act to change the time of holding the probate court in Dearborn county;
No. 92. Entitled an act to change the time of holding probate courts in the county of Shelby;
All of which originated in the Senate.
January 21*st*, 1848.

On motion by Mr. Stewart,

Resolved, That the committee on unfinished business, be instructed to report House bill No. 435, entitled an act for the relief of Robert Earl, to the Senate.

Which was adopted.
Mr. Verbrike offered the following preamble and resolution:

Whereas, The subject of common schools is exciting much interest in this State, and various plans have been suggested, by the friends of education, to establish free schools for the benefit of the poor:
And whereas, the State has undertaken to pay the interest on her public debt, and redeem her credit abroad:
And whereas, the present rate of taxation is as high as the people are willing to bear, without additional tax for educational purposes:

And whereas, the present law exempting from execution, one hundred and twenty-five dollars worth of personal property, is insufficient to give the laboring man the advantage over his labor, and thereby prevent him from producing a surplus necessary to support his family, pay his debts, or school his own children: Therefore,
Resolved, That the committee on education be instructed to inquire into the expediency of enacting a law, allowing each and every house-holder, or family composed of two or more persons, to acquire and hold a sufficient amount of personal property, to answer the above purpose; which property shall not be subject to execution, except for State and county taxes; with leave to report by bill or otherwise.

Which,
On motion by Mr. Marsh,
Was laid on the table.
Mr. Berry moved to take from the table the following resolution:

Resolved, That the Senate do advise and consent to the appointment of Thos. L. Smith, as one of the Judges of the Supreme Court of Indiana, agreeably to the nomination of His Excellency, the Governor.

The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Davis, English, Ellis, Green, Hamrick, Hardin, Henry, Howel, Houghton, Hubbard, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Murray, Randall, Read, Rousseau, Taber, and Waters—29.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Day, Goodnow, Holloway, Montgomery, Murphy, Orth, Osborn, Robinson, Simpson, Stewart, Verbrike, Winchell, and Zenor—19.

The resolution was taken from the table.
Mr. Barbour moved to postpone the farther consideration of the resolution until Wednesday next at 10 o'clock A. M;
Which motion was decided in the negative.
Mr. Osborn offered the following amendment:
"Strike out all after the resolving clause and insert the following: That the Senate hereby advises the Governor to appoint Charles Dewey one of the judges of the supreme court, to serve as such for the term of seven years from and after the adjournment of the pres-

ent General Assembly, and the Senate hereby consents to his appointment as such judge.

Mr. Stewart moved the previous question.

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Murray, Randall, Read, Rousseau, Stewart, Taber Waters—26.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Orth, Osborn, Robinson, Simpson, Verbrike, Winchell, Zenor—22.

The previons question being seconded,

The question was, shall the main question now be put?

Which was decided in the affirmative.

The question being on the adoption of the resolution,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Hardin, Henry, Howel, Huffstetter James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Murray, Randall, Read, Rousseau, Stewart, Taber, Waters—26.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Orth, Osborn, Robinson, Simpson, Verbrike, Winchell, Zenor—22.

So it was

Resolved, That the Senate do advise and consent to the appointment of Thos. L. Smith, as one of the judges of the supreme court of Indiana, agreeably to nomination.

Ordered, That the secretary lay said resolution before his Excellency the Governor.

On motion by Mr. Read,

Resolved, That the committee on the State Prison be instructed to enquire into the expediency of selling the old State Prison;

Which was adopted.

On motion by Mr. Morrison,

Resolved, That the committee on the State Prison be instructed to inquire whether the lessee of the Indiana State Prison has not violated his contract with the State, by working the prisoners without the walls of the prison—by inflicting corporeal punishment upon the convicts contrary to law, and by engaging them in mechanical and other employments coming in direct competition with the laborers and mechanics of Jeffersonville, and to report by bill or otherwise; and also to inquire whether a warden to the State Prison be necessary or not;

Which was adopted.

BILLS INTRODUCED.

By Mr. Hamrick,

No. 152. An act to amend an act entitled "an act to incorporate the Terre Haute and Richmond Railroad Company, approved January 26, 1847;"

Which was read and ordered to a second reading.

By Mr. Marsh,

No. 153. An act to amend an act entitled "an act to provide for a free Turnpike Road in Stuben county;"

Which was read and ordered to a second reading.

By Mr. Murray,

No. 154. A bill to incorporate the Huntington, Whitley, and Kosciusko Turnpike Company;

Which was read and ordered to a second reading.

Mr. Montgomery moved the Senate adjourn,

Which was not agreed to.

By Mr. Goodnow,

No. 155. A bill to change the time of holding Commissioners' Court in Jefferson county;

Which was read and ordered to a second reading.

By Mr. McCarty,

No. 156. A bill to change the time of holding the Franklin Probate Court;

Which was read and ordered to a second reading.

By Mr. Waters,

No. 157. A bill to amend the 2d article of the 30th chapter of the Revised Statutes of 1843, concerning the probate of wills and testaments;

Which was read and ordered to a second reading.

Mr. Ellis moved the Senate adjourn,

Which was not agreed to.

By Mr. Hardin,

No. 158. A bill for the summoning of Petit Jurors in Johnson county;

Which was read and ordered to a second reading.
The Senate adjourned.

SATURDAY MORNING, JANUARY 22, 1848.

The Senate assembled.
The journals ol the preceding day was read.
Mr. Orth moved to amend the standing rules of the Senate as follows:
"That a motion to lay on the table shall be decided without debate;"
Which was adopted.
Mr. Robinson made the following report from the committee on claims:

MR. PRESIDENT:

The committee on claims to whom was referred the petition of Joseph E. Moore, asking a compensation for services rendered and subsistence furnished for the fourth regiment of Indiana volunteers during the summer of 1847, have according to order, had the subject-matter referred to them under consideration, and have directed me to report, that some time in the month of June 1847, the fourth regiment of Indiana volunteers, called into service under the requisition of the President of the United States, assembled at Fort Clark in Clark county, the place of rendezvous, that some of the companies not being full at the time of their arrival, the officer of the United States whose duty it was to muster said regiment into service and subscribe the muster rolls, refused to do so until said companies should be full, and in consequence of such refusal, the commissary acting under the authority of the United States, refused to quarter and subsist said regiment until they should be regularly mustered into service.

That in consequence of such refusal by the commissary, the troops comprising said regiment were left destitute and without the means of subsistence,—that the petitioner at the earnest solicitations and request of the commanding officers of the several companies furnished provisions for said companies until they were regularly mustered into service, that the amount of provisions thus furnished was worth the sum of $314 00, as appears by the certificates which have been before your committee signed by the several commandants of companies; which sum of $314 00, said petitioner prays may be paid and liquidated by the State. Your committee so far as they have been able to inform themselves on this subject, are clearly satisfied that said claim is a a just demand against the United States, and should and ought to be paid out of the treasury of the general government, out of the money appropriated for the prosecution of the Mexican

war, yet your committee feeling anxious to do justice to the citizens of our state, who have furnished supplies to our gallant officers and soldiers, whilst on their march to the seat of war; your committee, therefore, not stopping to inquire into the propriety of the same, or the ability of the general government to prosecute the same in its present embarrassed condition, have unanimously concluded that justice demands that the amount furnished by the petitioner, for the support of our brave volunteers should be promptly paid, and relying on the integrity of the general government, and believing that as soon as the President shall have conquered a peace, obtained full and complete indemnity, acquired a large amount of territory, and extended over our slave market, that we will find the government both willing and able to refund to Indiana any amount that the State may have expended in aiding the President in prosecuting the war.

Your committee have therefore directed me to report the following bill and recommend its passage:

Mr. Robinson moved to lay the report on the table.
Mr. Miller moved to withdraw the report; thereupon,
The President of the Senate decided that a majority of a committee could not withdraw a report made by the chairman of said committee before action had upon the same by the Senate, from which decision an appeal was taken by Mr. Stewart;
Upon which the ayes and nays were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Davis, Ellis, Goodnow, Hamrick, Henry, Holloway, Howel, Houghton, Hubbard, James, Malott, Murphy, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Taber, Verbrike, Winchell, Zenor—29.

Those who voted in the negative are,

Messrs. Day, English, Hardin, Huffstetter, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Montgomery, Morrison, Randall, Stewart—14.

The decision of the President was sustained by the Senate.
Mr. Stewart moved to adjourn, which motion was decided in the negative.
The question being on laying the report of the committee on the table.
The ayes and nays were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Mur-

phy, Murray, Orth, Osborn, Robinson, Simpson, Verbrike, Winchell, Zenor—21.

Those who voted in the negative are,

Messrs. Berry, Coats, Day, English, Hardin, Henry, Howel, Huffstetter, Jones, Malot, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, Waters—22.

The report was not laid on the table.

Mr. Miller moved to recommit the report to the same committee.

Mr. Robinson moved to amend by adding, with the following instructions:

To inquire and report to the Senate what part of said report is not in accordance with the facts agreed to by said committee, and if anything in the report are not true and are not the sentiments of said committee, what part of said report it is to which they assent.

Mr. Hamrick moved the Senate adjourn,

Which motion was decided in the negative.

Mr. Berry moved to lay the instructions on the table.

The ayes and noes being demanded by two Senators:

Those who voted in the affirmative are:

Messrs. Berry, Coats, Day, English, Hardin, Henry, Howel, Huffstutter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, Waters—22.

Those who voted in the negative are,

Messrs. Beard Cassatt, Chenowith, Conduit, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Winchell, Zenor—22.

The President decided that the instructions should lay on the table.

Mr. Robinson offered the following instructions:

That said committee report to the Senate what parts of said report is wrong in view of all the facts before them, from the facts proven before them;

Which the President decided to be out of order.

Mr. Ellis moved the Senate adjourn,

Which motion was decided in the negative.

The question being on recommitting the report,

The report was so recommitted.

The Senate adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The Senate assembled.

On motion by Mr. Stewart,

The vote on recommitting the report of the committee on claims was reconsidered.

On motion by Mr. Ellis,

The report was laid on the table.

Mr. Miller gave notice that he would enter his protest against said report on Monday next, the 24th inst.

The following message was received from his Excellency the Governor, by Mr. James M. Sleeth, his private secretary:

Mr. President:

I am directed by the Governor to inform the Senate that he did on this day approve and sign bill No. 122, entitled an act for the relief of the heirs of Louisa Jane Cassatt, which originated in the Senate.

January 22d 1848.

On motion by Mr. Osborn,

The previous order of business was suspended and leave granted to introduce bills.

By Mr. Milligan,

No. 160. A joint resolution relative to a marsh and wet tract of land in the counties of Jay and Adams;

Which was read and ordered to a second reading.

By Mr. Berry,

No. 161. A bill to amend the 14 section of article 1 of Chapter 14 of the Revised Statutes of 1843;

Which was read and order to a second reading.

By Mr. Chenowith,

No. 162. A bill to incorporate the Perrysville and Danville Railroad Company;

Which was read and ordered to second reading.

By Mr. Coats,

No. 163. A bill to amend an act entitled "act to authorize the superintendent of the Wabash and Erie Canal, to pay such equitable claims as counties and individuals may have for surveying and locating the canal from Tippecanoe to Terre Haute, approved January 25, 1847;

Which was read and ordered to a second reading.

By Mr. Cornett,

No. 164. A bill prescribing the duties of petitioners for the incorporation of towns and villages;

Which was read and orderdered to a second reading.

By Mr. Davis,

No. 165. An act to incorporate the Laporte and Michigan City Railroad Company;
Which was read and ordered to a second reading.
By Mr. Holloway,
No. 166. A bill to incorporate the Union Literary Institute;
Which was read and ordered to a second reading.
By Mr. Holloway,
No. 167. A bill for securing an effective supervision of the State Prison;
Which was read and ordered to a second reading.
By Mr. Huffstetter,
No. 168. A bill to explain and amend "an act for the relief of the purchasers of saline lands in Orange county, approved January 22d, 1847.;"
Which was read and ordered to a second reading.
By Mr. Martin,
No. 169. An act authorizing the Commissioners of Lagrange county, to increase the salary of the Probate Judge of said county;
Which was read and ordered to a second reading.
By Mr. McCarty,
No. 170. An act to regulate proceedings in the actions of waste.
By Mr. Milligan,
No. 172. A joint resolution on the subject of graduating the price of public lands;
Which was read and ordered to a second reading.
By Mr. Millikin,
No. 173. A bill authorizing the vacation of towns, streets, and alleys;
Which was read and ordered to a second reading.
By Mr. Morrison,
No. 174. A bill to revive an act entitled "an act to authorize the location and establishment of a State road from Salem in Washington county by Lawrenceport on White river to Bedford in Lawrence county, approved January 21st, 1847;
Which was read and ordered to a second reading.
By Mr. Murphy,
No. 175. A bill to incorporate the New Castle and Richmond Railroad Company;
Which was read and ordered to a second reading.
By Mr. Murphy,
No. 176. A bill to incorporate the New Castle and Knightstown Railroad Company;
Which was read and ordered to a second reading.
By Mr. Orth,
No. 177. A bill to amend the "act to provide for the continuation of the Madison and Indianapolis Railroad to Lafayette," approved January 19, 1846;
Which was read and ordered to a second reading.
By Mr. Orth,

No. 178. A bill fixing the limits of the town of Lafayette;
Which was read and ordered to a second reading.
By Mr. Orth,
No. 179. A bill to authorize the County Commissioners of Tippecanoe county to pay for the erection of a bridge across the canal at Green street in Lafayette;
Which was read and ordered to a second reading.
By Mr. Orth,
No. 180. A bill to amend an act entitled "an act to incorporate the Lafayette Insurance Company, approved February 8, 1836;"
Which was read and ordered to a second reading.
By Mr. Orth,
No. 181. A bill giving additional powers to the President and Trustees of the town of Lafayette;
Which was read and ordered to a second reading.
By Mr. Orth,
No. 182. A bill to revive an act entitled "an act to incorporate the Lafayette and Danville Railroad Company, approved February 5, 1836;"
Which was read and ordered to a second reading.
By Mr. Orth,
No. 183. A bill to amend the law;
Which was read and ordered to a second reading.
By Mr. Orth,
No. 184. An act for the relief of certain persons therein named;
Which was read and ordered to a second reading.
By Mr. Osborn,
No. 185. A bill to authorize executors, administrators, and guardians, to make deeds in certain cases;
Which was read and ordered to a second reading.
By Mr. Osborn,
No. 186. An act confirming the marriage between Thomas Berry and Elizabeth Berry;
Which was read and ordered to a second reading.
By Mr. Osborn,
No. 187. A bill to dispose of the Georgia lumber lands;
Which was read and ordered to a second reading.
By Mr. Randall,
No. 188. A bill to legalize a survey in the city of Fort Wayne;
Which was read and ordered to a second reading.
By Mr. Simpson,
No. 189. A bill amendatory to an act entitled "an act to incorporate the White Water Valley Canal Company," approved Jan. 20, 1842;
Which was read and ordered to a second reading.
By Mr. Verbrike,
No. 190. A bill exempting certain property from execution;
Which was read and ordered to a second reading.
By Mr. Verbrike,

No. 191. A bill to amend the charter of the Terre Haute and Richmond Railroad Company, approved January 26, 1847;

Which was read and ordered to a second reading.

By Mr. Winchell,

No. 192. A bill to regulate the signing of bills of exceptions in the circuit courts;

Which was read and ordered to a second reading.

By Mr. Winchell,

No. 193. An act for the benefit of the county Auditor of Grant county;

Which was read and ordered to a second reading.

By Mr. Hamrick,

No. 194. A bill to repeal an act "entitled an act to confine voters in their respective townships," approved January 13, 1845, so far as the county of Putnam is concerned;

Which was read and ordered to a second reading.

On motion by Mr. Hardin,

The rules were suspended.

Bill of the Senate No. —, a bill to extend the jurisdiction of justices of the peace in certain criminal cases,

Was taken from the table and placed on the files of the Senate.

The previous order of business resumed.

Mr. Henry made the following report from the committee on corporations:

MR. PRESIDENT:

The committee on corporations to whom was referred bill No. 89, entitled "an act to incorporate the French Lick steam mill Company" have had the same under consideration, and directed me to report the same back to the Senate with two amendments, and upon their adoption to recommend its passage.

Strike out section "ten" and insert the following:

The stockholders of this corporation shall be liable in their individual capacity for the payment of all debts of such corporation, to be recovered of the stockholders who are such at the time when the debts are contracted, or of any subsequent stockholder, and any stockholder who may have paid any demand against such corporation, either voluntarily or by compulsion, shall have the right to resort to the use of the stockholders who were so liable for contribution, and the dissolution of such corporation shall not release or affect the liability of any stockholder, which may have been incurred before such dissolution.

Strike out the following words in section 13, to-wit: "Be in force from and after its publication in the Indiana Journal," and insert in the place thereof these words: "Be in force from and after its passage."

Insert,

Sec. 14. Nothing in this act shall be construed to authorize this corporation to issue *scrip*.

Mr. Huffstetter moved to lay the first amendment of the committee on the table.

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conner, Cornett, Day, Davis, Ellis, Goodnow, Hamrick, Holloway, Howel, Houghton, Hubbard, Huffstetter, Malott, Miller, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Waters, Winchell, Zenor—31.

Those who voted in the negative are,

Messrs. Berry, Coats, Henry, Marsh, Martin, McCarty, Morrison, Randall, Read, Stewart—10.

The amendmend was laid on the table.

The second and third amendments were concurred in by the Senate, and the bill ordered to be engrossed for a third reading.

Mr. Hamrick made the following report from committee on corporations:

MR. PRESIDENT:

The committee on corporations to whom was referred bill of the Senate No. 131, entitled "an act to amend an act to revive an act to incorporate the city of Logansport," approved January 13, 1845, have according to order had the same under consideration and directed me to report the same back without amendment and respectfully recommend its passage.

Which bill was ordered to be engrossed.

The following message was received from the House, by Mr. Ward their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bill thereof:

No. 25. An act explanatory of an act entitled "an act to secure to Ohio county a share of the common school and surplus revenue funds," approved January 6, 1847.

Which I am directed to bring to the Senate for the signature of the President thereof.

Thereupon the President affixed his signature to said bill.

The Senate adjourned.

MONDAY MORNING, JANUARY 24, 1848.

The Senate assembled.

The journal of the preceding day was read.

Agreeable to previous notice given, Mr. Miller submitted the following protest to the report of Mr. Robinson, the chairman of the committee on claims, in reference to the claim of Joseph E. Moore.

The undersigned members of the committee to whom was referred the claim of Joseph E. Moore, have seen with regret and surprise a report made by the chairman of that committee, which purports to be the unanimous report of the same, and which was entered on the journal of the Senate as such, although many of the sentiments contained in it were utterly repudiated by the undersigned; and the whole report was drawn up, and presented to the Senate without their knowledge, co-operation, or consent. They cannot consent to have a joint authorship of that report imputed to them, or that a report, because adopted and reported by the chairman of the committee shall be deemed conclusive evidence that it is such against the averments and testimony of the other members.

The chairman is properly the organ of the committee, through whom it speaks; and it is by its authority, and under its sanction alone that he should speak for it. He certainly has no right to palm off his own private sentiments, doctrine, or language as theirs, and if the genuineness of an official report be impeached, the Senate should be satisfied that it was duly authorized before it is received in that character. We protest that the report alluded to was never submitted to us for our approval, that we never authorized or sanctioned it, and that it is untrue that the committee unanimously directed the report to be made.

The undersigned regret that they should be compelled to make these statements, but they cannot avoid doing so without allowing themselves to be placed in a false position before the country.—They object to the report in this instance, not only for the unwarrantable license thus taken by the chairman, but because it digresses in very bad taste, to say the least of it, from its legitimate office of enquiring into the justice of the claim under consideration, into a rambling discussion of the causes, and objects of the war with Mexico, entirely foreign from the subject matter in hand, and introduced for no other apparent reason, as it would seem, but to afford a pretext for a partisan attack upon the President and others concerned in the administration of the general government. All this part of the report the undersigned disapprove, as it is in many respects an entire pervision of their sentiments, both in manner, and matter, and as they conceive, improper and uncalled for under the circumstances.

They are therefore compelled to pronounce the report wholly

spurious, so far as it professes to represent the unanimous views of the committee: in justice to themselves they respectfully request that this protest may be entered upon the journals; and, with the view of avoiding such unpleasant occurrences in future, and the liability of thus being misrepresented, they respectfully ask to be excused from further service upon the committee on claims with its present chairman.

SMITH MILLER,
E. G. ENGLISH,
D. S. HUFFSTETTER,
M. A. MALOTT.

Mr. Robinson gave notice that he would submit a counter report, to the protest entered by Mr. Miller, against his report as chairman of committee on claims.

Messrs. Miller, English, Huffstetter, and Malott, were excused from serving on the committee on claims.

The President appointed the following senators to serve on the committee on claims, in lieu of those discharged, Berry, Coats, Day, and Hardin.

The President laid before the Senate, the following communication from the State Printer:

HON. P. C. DUNNING,
President of the Senate.

It is impossible for me to print the Governor's Message in German and French previous to the adjournment of the Legislature; which fact please communicate to the body over which you preside.

Yours, &c.,
JOHN D. DEFREES.

Indianapolis, Jan. 22d, 1848.

Mr. Hardin chairman of the committee on enrolled bills submitted the following reports:

MR. PRESIDENT:

The committee on enrolled bills have compared bill of the Senate No. 122, with the original and find it correctly enrolled.

MR. PRESIDENT:

The committee on enrolled bills have directed me to report that they did on this day present to the Governor for his approval and signature.

Bills of the Senate No. 5, 114, and 122.

By Mr. Miliikin,

A petition of Abram Brower relative to actions in ejectment, which,

On motion by Mr. Millikin,

Was referred to the judiciary committee.

By Mr. Orth,

A petition of sundry citizens of Tippecanoe and Clinton counties, relative to a turnpike road, which,

On motion by Mr. Orth,

Was referred to a select committee of Messrs. Orth, Osborn, Taber, Waters, and Beard.

By Mr. Randall,

A petition of sundry German citizens of Allen county, relative to the common school fund; which,

On motion by Mr. Randall,

Was referred to the committee on education.

By Mr. Robinson.

A petition of the citizens of the town of Greensburgh, praying for a revival of the act incorporating the town of Greensburgh; which,

On motion by Mr. Randall,

Was referred to a select committee.

Messrs. Robinson, Henry, and Hamrick, were appointed said committee.

By Mr. Martin,

A petition of the citizens of Lagrange county praying the repeal of a part of the charter of the Buffalo and Mississippi Rail Road Company; which,

On motion by Mr. Martin,

Was referred to a select committee to be composed of Senators along the line of said road.

Messrs. Martin, Osborn, Day, Marsh, and Murray, were appointed said committee.

By Mr. Hubbard,

A petition of sundry citizens of the county of Rush, asking for a law on the subject of liquors; which,

On motion by Mr. Hubbard,

Was referred to a select committee.

Messrs. Hubbard, Murphy, and Holloway, were appointed said committee.

By Mr. Zenor,

A memorial relative to the common school law; which,

On motion by Mr. Zenor,

Was referred to the committee on education.

By Mr. Orth,

A memorial of Charles H. Test, relative to common law practice; which,

On motion by Mr. Orth,

Was laid on the table.

By Mr. Millikin,

A petition of sundry citizens of Jay county on the subject of the Salamonia river; which,

On motion by Mr. Milligan,

Was referred to the committee on roads.

By Mr. Holloway,

A petition for a charter for a turnpike road in Wayne county; which,

On motion by Mr. Holloway,

Was referred to a select committee.

Messrs. Holloway, Murphy, and Simpson, were appointed said committee.

On motion by Mr. Read,

The previous order of business was suspended and the orders of the day were taken up.

On motion by Mr. Read,

A call of the Senate was ordered,

The Sergeant-at-arms was despatched for the absentees.

Leave of absence was granted to senators Barbour, Conduit, and Green.

BILLS ON THIRD READING.

No. 2. An act to authorize the voters of this State to vote for or against a convention for a revision of the constitution.

The ayes and noes being by two senators,

Those who voted in the affirmative are,

Messrs. Berry, Coats, Day, English, Hardin, Henry, Howel, Huffstetter, James, Malott, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, and Waters—21.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Marsh, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rosseau, Simpson, Verbrike, Winchell, and Zenor—24.

The bill did not pass.

Mr. Orth moved to reconsider the vote just taken on the passage of bill No. 2.

Which was not agreed to.

No. 11. An act to regulate the fees and emoluments of county officers in Marion county.

Mr. Stewart offered the following amendments:

Strike out "five hundred" for the county Auditor, and insert "seven hundred."

Strike out "six hundred" for the county Treasurer, and insert "seven hundred."

Strike out "eight hundred" for the county Sheriff, and insert "one thousand."

Strike out "four hundred" for the county Recorder and insert "six hundred."

Which were adopted.

The bill was then read a third time and passed as amended.

Ordered, The secretary inform the House thereof.

No. 16. An act to incorporate the Eel river manufacturing company at Logansport, Ind.

Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 28. A bill to amend "An act to authorize the people of the several townships in the several counties to prohibit the retailing spirituous liquors."

On motion by Mr. Conner,

The counties of Boone and Tipton, were included in the provisions of the bill.

The bill was read a third time and passed as amended.

Ordered, That the Secretary inform the House thereof.

No. 41. An act to extend the time of appraising certain lands belonging to the Wabash and Erie Canal.

On motion by Mr. Cassatt,

The bill was recommitted to the judiciary committee, with the following instructions by Mr. Ellis.

Strike out all after the first section and add the following:

Sec. —. That the trustees of the Wabash and Erie canal, be and they are hereby authorized to have all the lands, unsold in the Vincennes land district, reappraised so that the same shall not be sold for less than one dollar and twenty-five cents per acre.

On motion,

The Senate adjourned.

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2 o'clock, P. M.

The Senate assembled.

The following message was received from the House of Representatives by Mr. Ward their clerk.

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 12. An act to enable the supervisors of Scott county to make their returns to the board doing county business on the first Monday in March annually.

No. 15. An act explanatory of an act entitled "An act defining the duties of county treasurers in certain cases," approved January 13, 1845.

No. 21. An act to authorize the Dearborn probate court to make certain orders and decrees therein named.

No. 57. An act to incorporate the Brownstown and Scipio Rail Road Company.

No. 60. An act to incorporate the Madison and Brownstown turnpike company, by way of Kent in the county of Jefferson and Wooster in the county of Scott.

No. 63. An act extending the terms of the probate courts of Madison county.

No. 67. An act to incorporate the Attica and Warren county bridge company.

No. 81. An act to regulate agencies of foreign Insurance companies.

No. 84 An act regulating the action of ejectment.

No. 85. An act to legalize a sale of real estate by Peter Navare, junior.

No. 90. An act to incorporate the South Bend woollen and cotton manufacturing company.

No. 91. An act concerning the State Library.

No. 92. An act fixing jurors' fees before justices' courts in the county of Delaware.

No. 93. An act to amend an act entitled "An act to authorize the people of the several counties to prohibit the retailing of spirituous liquors."

No. 97. An act to incorporate the town of New London, Howard county.

No. 102. An act to incorporate the Liberty and Brownsville turnpike company.

No. 106. An act lopping off all the extra allowance to the clerk and Sheriff of Delaware county as now allowed by the board of the same.

No. 110. An act for the better securing of titles in Spencer and Dubois counties.

No. 112. An act to amend an act regulating the mode of doing township business in the county of Elkhart.

No. 115. An act regulating the salary of the Auditor of Putnam county.

No. 116. An act to regulate Clerk's fees in the probate court of Jackson county.

No 117. An act relative to the charter of the city of Indianapolis.

No. 119. An act to incorporate the Taylor cotton mills.

No. 120. An act to incorporate the Perry cotton mills.

No. 121. An act to incorporate the Cannelton glass manufacturing company.

No. 122. An act to incorporate the Cannelton paper mill.

No. 123. An act to incorporate the Ward cotton mill.

No. 124. An act to incorporate the Indiana cotton mill.

No. 125. An act to incorporate the Cannelton cotton mill.

No. 126. An act to incorporate the Cannelton foundry.

No. 127. An act to incorporate the Princton female acadamy.

No. 128. An act granting to the citizens of the town of Aurora in the county of Dearborn, a city charter.

No. 129. An act to repeal a certain act therein named.

No. 130. An act to legalize the acts of the President and Trustees of the town of Rising Sun, in Ohio county, State of Indiana.

No. 131. An act to change the name of Ebenezer Barker Twitchel.

No. 132. An act for the relief of Mary M. Goodrich.

No. 133. An act to extend the jurisdiction of justices of the peace in the counties of Fulton and Marshall.

No. 134. An act to authorize the Auditor and School Commissioner of Miami county to make a deed to Jacob Brower.

No. 135. An act to vacate certain streets and alleys therein named.

No. 139. An act to amend an act entitled "An act to repeal an act more effectually to enable supervisors to open and keep in repair public highways."

No. 141. An act in relation to the tax duplicate of the county of Jefferson for the year 1847.

No. 142. An act to incorporate the Centreville and Abbington turnpike company.

No. 146. An act to incorporate the Indiana canal campany.

No. 147. An act to incorporate the Madison, Lexington and Brownstown turnpike company.

In which the concurrence of the Senate is respectfully requested.

Which bills were severally read the first time and ordered to a second reading.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate without amendment:

No. 45. An act to vacate a part of a State road in the county of St. Joseph.

No. 109. An act to amend an act entitled "An act to provide for the continuance of all or any part of the public works of this State by private companies, and for abolishing the board of internal improvements and the office of fund commissioner and chief engineer," approved January 28, 1842, so far as the same is applicable to the Shelbyville and Edinburgh Rail Road.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 86. An act to reduce the law incorporating the city of Madison and the several acts amendatory thereto into one act, and to amend the same.

In which the concurrence of the Senate is respectfully requested.

Which bill was read the first time and ordered to a second reading.

The following message was received from the House of Representatives by Mr. Ward their clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House insist upon their disagreement to the engrossed amendment of the Senate to engrossed bill of the House,

No. 87. An act fixing the time of holding circuit courts in the county of Marion, and for other purposes.

On motion by Mr. Stewart,

The Senate insist on their engrossed amendment.

Messrs. Stewart and Hardin were appointed to act on the part of the Senate, as a committee of free conference, to act with a similar committee on the part of the House, to adjust the matter of difference between the two houses.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 219. An act to repeal an act entitled "An act defining the duties of county treasurers, passed January 13, 1845."

No. 242. An act to authorize John Secrest to build a mill dam across the Mississinawa river in Grant county.

No. 244. An act to incorporate the Madison hotel company.

No. 264. An act declaring Scott Noel the successor in office as justice of the peace, of Robert M. Gilkeson.

No. 265. An act in relation to a certain State road in the county of Daviess.

In which the concurrence of the Senate is respectfully requested.

Which bills were severally read a first time and ordered to a second reading.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed joint resolution thereof:

No. 271. A joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana.

In which the concurrence of the Senate is respectfully requested.

Which joint resolution was read the first time;

The rules being suspended was read a second and third times and passed.

Ordered, The Secretary inform the House thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed engrossed bills of the Senate as follows:

No. 5. A bill to change the time of holding the probate court in Dearborn county.

No. 6. A bill to authorize Hiram S. Brady of Laporte county to file his bill in chancery.

Without amendments.

The House have also passed engrossed bills and joint resolutions thereof, entitled as follows:

No. 1. A joint resolution relative to the reduction of postage on newspapers and periodicals.

No. 4. A bill to amend an act entitled "An act to establish a State road on a portion of the dividing line of the counties of Dekalb and Steuben," approved January 2, 1847.

No. 5. A bill to change the time of holding the probate courts in Clarke county.

No. 6. A bill authorizing the sale of certain school land in Franklin county.

No 8. A bill to provide for assessing and collecting a road tax on lands and town lots in Madison county.

No. 10. A bill to change the terms of the Daviess probate court.

No. 14. A joint resolution to postpone the public sales of land in the Miami reserve.

In which the concurrence of the Senate is respectfully requested.

Which bills of the House were severally read the first time, and ordered to a second reading.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof:

No. 149. A bill for the relief of Charity Forden of Daviess county.

In which the concurrence of the Senate is respectfully requested.

Which bill was read the first time and ordered to a second reading.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof:

No. 113. An act authorizing the location of a State road in Posey county;

In which the concurrence of the Senate is respectfully requested.

Which bill was read a first time and ordered to a second reading.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 16. An act to amend an act compelling speculators to pay a road tax equal to that paid by actual settlers;

No. 20. An act declaring a misprint in "an act to amend the the practice in the probate court," approved January 28, 1847;

No. 83. An act for the relief of James Hardin, of Warrick county;

In which the concurrence of the Senate is respectfully requested.

Which were read the first time and ordered to a second reading.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No, 11. An act providing for the sale of certain school lands in the county of Dearborn, belonging to town. 9, range 3 west, in Franklin county.

No. 13. An act to extend the time for the final payment of certain school lands in Miami county, and for other purposes.

No. 19. An act to repeal an act in relation to horses and jackasses;

No. 22. An act for the relief of the surplus revenue fund belonging to Decatur county;

No. 39. An act to amend an act entitled "an act granting to the citizens of the town of Evansville a city charter," approved January 27, 1847.

In which the concurrence of the Senate is respectfully requested;

And that the House have also passed the following engrossed joint resolution thereof:

No. 30. A joint resolution in relation to increasing the clothing pay of non-commissioned officers and privates belonging to our armies in Mexico.

In which the concurrence of the Senate is respectfully requested.

Which bills were severally read the first time and ordered to a second reading.

MR. PRESIDENT:

I am directed by the House of Representatives to report to the Senate that the House has passed engrossed bill No. 145, a bill for the relief of tax payers of certain counties therein named, to which the concurrence of the Senate is respectfully requested.

Which was read the first time and ordered to a second reading.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills therof:

No. 96. A bill changing the venue in the case of the State of Indiana against Willis M. Miller, from the county of Daviess, in the tenth judicial circuit of the State of Indiana, to Dubois county, in the fourth judicial circuit.

No. 98. An act to incorporate the town of Peru.

In which the concurrence of the Senate is respectfully requested.

Which bills were read the first time and ordered to a second reading.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof:

No. 29. An act granting additional compensation to the probate judge of St. Joseph county.

In which the concurrence of the Senate is respectfully requested.

Which bill was read the first time and ordered to a second reading.

The following bills of the House were read:

No. 17. An act explanatory of the meaning of the 159th section of the 47th chapter of the revised statutes, and for other purposes;

Was read the first time and ordered to a second reading.

No. 27. A bill authorizing the revaluation of lands in Monroe and Irvin townships, in Howard county;

Was read the first time and ordered to a second reading.

No. 28. An act declaring a certain word, in section 43, chapter 16, of the Revised Statutes of 1843, a misprint;

Was read the first time and ordered to a second reading.

No. 31. A bill relative to probate judges in the county of Porter;

Was read the first time and ordered to a second reading.

No. 47. An act to provide for electing supervisors by districts, in the counties of Miami and Montgomery;

Were read the first time and ordered to a second reading.

No. 53. An act to locate a State road therein named;

Was read the first time and ordered to a second reading.

No. 33. An act to amend an act entitled an act "to incorporate the College Corner and Liberty Turnpike Company;"

Was read the first time and ordered to a second reading.

No. 36. An act to authorize the board doing county business in Orange county to dispense with a road tax;

No. 37. A bill to incorporate the Connersville Hotel Company;

Was read the first time and ordered to a second reading.

No. 40. An act to encourage the growth of cranberries in the county of Allen, and for the protection of cranberry marshes;

Was read the first time and ordered to a second reading.

No. 42. An act to provide for petit jurors in the county of Warren;

Was read a first time and passed to a second reading.

No. 43. A bill for the relief of Dorothy Owens and others;

Was read the first time and ordered to a second reading.

No. 45. An act to extend the jurisdiction of justices of the peace in the counties of Lake and Porter;

Was read the first time and ordered to a second reading.

No. 46. An act to fix the time of holding probate courts in the county of Putnam;

Was read the first time and ordered to a second reading.

No. 52. An act for the selection of Jurors in the county of Delaware;

Which was read the first time and ordered to a second reading.

No. 55. An act for the relief of Collins Adams, of St. Joseph county;

Which was read the first time and ordered to a second reading.

No. 59. An act to authorize the trustees of School district No. 1, town. 37 north, of range 5 east, in Elkhart county, to raise an additional tax;

Which was read the first time and ordered to a second reading.

No. 61. An act authorizing the trustees of School district in town. 37 north, of range 3 east, in St. Joseph county, to levy a tax to finish a school-house in said district;

Which was read the first time and ordered to a second reading.

No. 62. An act to incorporate the Botanic Medical Society in Decatur county;

Which was read the first time and ordered to a second reading.

No. 64. A bill to incorporate the Laporte Female Seminary;

Which was read the first time and ordered to a second reading.

No. 66. A bill to abolish the office of school commissioner of Floyd county, and for other purposes;

Which was read the first time and ordered to a second reading.

No. 68. An act leaving it discretionary with the board of commissioners of Delaware county, what compensation they shall allow supervisors for making their returns;

Which was read the first time and ordered to a second reading.

No. 71. An act to amend the 22d section of an act of the Revised Statutes, entitled an act for the relief of the poor;

Which was read the first time and ordered to a second reading.

No. 75. An act relating to road tax in Perry county;

Was read the first time and ordered to a second reading.

No. 76. An act to amend an act entitled "an act to authorize the people of Fayette and other counties therein named to elect their seminary trustees;"

Was read the first time and ordered to a second reading.

Mr. Orth moved that the Senate adjourn;

Which motion was decided in the negative.

On motion by Mr. Montgomery,

Bill of the Senate No. 24, a bill to incorporate the Monticello Hydraulic Company was taken from the table and read a second time.

On motion by Mr. Montgomery,

The following amendment of the committee on corporations was laid on the table:

Amend the 16th section by striking out all after the word corporation, and inserting — when and after all of the property of said corporation, subject to execution, shall have been exhausted.

The rules suspended, the bill read a third time and passed.

Ordered, That the secretary inform the House thereof.

The Senate adjourned.

TUESDAY MORNING, JANUARY 25, 1848.

The Senate assembled.

The reading of the journal was dispensed with.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Orth,

A petition of the citizens of Benton county, relative to attaching a part of Benton county to the county of Tippecanoe; which,

On motion by Mr. Orth,

Was referred to a select committee.

Senators Orth, Osborn, Beard, Taber, and Montgomery were appointed said committee.

By Mr. Day,

A petition of sundry citizens of St. Joseph and Marshall counties, relative to changing a State road; which,

On motion by Mr. Day,

Was referred to a select committee.

Senators Day, Martin, and Randall were appointed said committee.

By Mr. Walpole,

A petition of sundry citizens of Hancock county, relative to reviving the militia law; which,

On motion by Mr. Walpole,

Was referred to the committee on military affairs.

By Mr. Randall,

A petition of sundry citizens of Adams county, praying the passage of a law authorizing the county Auditor to make certain deeds, &c.; which,

On motion by Mr. Randall,

Was referred to a select committee.

Senators Randall, Milligan, and Murray were appointed said committee.

By Mr. Orth,

A petition for the location of a State road; which,

On motion by Mr. Orth,

Was referred to a select committee.

Senators Orth, Taber, Montgomery, Osborn, Beard, and Waters were appointed said committee.

By Mr. Holloway,

A petition from the colored people of the State, on the subject of education; which,

On motion by Mr. Holloway,

Was referred to the committee on education.

By Mr. Taber,

A petition of the citizens of Washington township, Carroll county, relative to attaching said township to the county of Cass; which,

On motion by Mr. Taber,
Was referred to a select committee.
Senators Taber, Waters, and Cassatt were appointed said committee.
By Mr. Martin,
A petition of Mills Averill, school commissioner of the county of Lagrange, relative to the school fund; which,
On motion by Mr. Martin,
Was referred to a select committee.
Senators Martin, Milligan, and Randall were appointed said committee.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the Speaker of the House has signed the following engrossed bill of the House:
No. 151. An act changing the time of holding the probate courts in the counties of Jefferson, Switzerland, and Ohio.
Which I am requested to bring to the Senate for the signature of the President.

Thereupon the President affixed his signature to said bill.
Mr. Morrison, chairman of the committee on finance, made the following report:

MR. PRESIDENT:

The committee on finance, to whom was referred a resolution of the Senate, instructing them "to inquire into the expediency of compelling tenants in dower to pay the taxes that may be assessed upon the property of which they are endowed," have had the same under consideration, and have directed me to report the accompanying bill, and recommend its passage:
No. 195. A bill to provide for the taxing of estate in dower;

Which was read the first time, and ordered to a second reading.
Mr. Orth, chairman of the committee on the judiciary, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary, to which was referred a resolution of the Senate instructing them to inquire into the constitutionality of the law confining the several voters of this State in the exercise of their elective franchise, have had the same under consideration,

and a majority of said committee have instructed me to report the following resolution, and recommend its passage by the Senate:

Resolved, That in the opinion of the Senate, the law confining voters to the several townships in which they reside, in the exercise of their rights of suffrage, is in compliance with the provisions of the constitution. That said law is calculated to promote the purity of the ballot box, and should not be altered or repealed.

Mr. Robinson moved to lay the report and resolution on the table.
On which the ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Barbour, Cassatt, Conduit, English, Hamrick, Houghton, Hubbard, James, Malott, Morrison, Robinson, Rousseau, Walpole, Winchell, and Zenor—15.

Those who voted in the negative are,

Messrs. Beard, Berry, Chenowith, Coats, Conner, Cornett, Day, Davis, Ellis, Goodnow, Green, Hardin, Henry, Holloway, Howel, Huffstetter, Marsh, Martin, Miller, Milligan, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Randall, Read, Simpson, Stewart, Taber, Verbrike, and Waters—33.

The report and resolution were not laid on the table.
The question recurring on the adoption of the resolution,
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Chenowith, Coats, Conner, Cornett, Day, Davis, Ellis, Goodnow, Green, Henry, Holloway, Howel, Hubbard, Huffstetter, Marsh, Martin, Miller, Milligan, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Randall, Read, Simpson, Stewart, Taber, Verbrike, and Waters—33.

Those who voted in the negative are,

Messrs. Barbour, Cassatt, Conduit, English, Hamrick, Hardin, Houghton, James, Malott, Morrison, Robinson, Rousseau, Walpole, Winchell, and Zenor—15.

The resolution was adopted.
Mr. Randall submitted the following report from the judiciary committee.

MR. PRESIDENT:

The committee on the judiciary, to whom was referred Senate

bill No. 7, entitled a bill to amend an act entitled an act to incorporate the Lagrange Phalanx, have had the same under consideration, and a majority of said committee have directed me to report the same back without amendmeut, and respectfully recommend its passage.

Mr. Walpole offered the following amendments:

Insert in the appropriate place, "nothing in this act shall be so construed as to have a retrospective effect."

On motion by Mr. Walpole,

The bill and amendments were laid on the table.

Mr. Beard submitted the following report from the committee on roads:

Mr. President:

The committee on roads to whom was referred the petition of John C. Gould, and others, asking a certain change in the road laws have, according to order, had that subject under their consideration, and have directed me to report that it is inexpedient to grant the prayers of the petitioners, and ask to be discharged from the further consideration of the subject.

Which was concurred in by the Senate.

The following message was received from the House, by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills of the Senate, without amendment:

No. 4. An act to incorporate the Franklin Institute of the Richmond University.

No. 22. An act to prohibit the sale of spirituous liquors and wines in Henry township, Henry county, Indiana.

No. 34. An act to vacate certain streets and alleys in the town of Raysville, Henry county.

No. 35. An act for the relief of Zachariah Collins.

No. 36. An act relative to the practice in the Laporte circuit court.

No. 48. An act to authorize the clerk of the Carroll circuit court to sell certain certain real estate.

No. 56. An act for the benefit of the Union Literary Society.

No. 60. An act to incorporate the Greenbush Cemetery Association of Lafayette in Tippecanoe county.

No. 61. An act to authorize Ira Baily to build an arm to the Knightstown and Shelbyville railroad.

No. 63. An act to change the name of Lewis Myers to Lewis Myers Douglass.

No. 68. An act for the relief of the city of Lawrenceburg.

No. 81. An act in relation to the organization of the Senate and House of Representatives.

No. 93. An act to repeal an act entitled an act to restrict the grand jury in Franklin county to a limited time in their sessions.

No. 101. An act in relation to the county records of Lagrange county.

Mr. Robinson, the chairman of the committee on claims submitted the following report:

Mr. President:

The committee on claims, to whom was referred the petition of J. and E. L. Beard, have, according to order, had that subject under consideration, and have directed me to report the accompanying bill for the consideration of the Senate:

No. 196. A bill for the relief of J. and E. L. Beard.

Which was read the first time, and ordered to a second reading.

Mr. Robinson, chairman of the committee on claims, submitted the following report:

Mr. President:

The committee on claims, to whom was referred bill of the Senate No. 120, for the relief of Patrick McGinley, have, according to order, had the same under consideration, and have directed me to report said bill back to the Senate for its action.

Mr. Robinson offered the follow amendment:

Section —. The three persons to be appointed by the Governor by the provisions of the first section of this act shall be men of good legal attainments, neither of whom shall reside in the county of Floyd or Clark, and before entering on the discharge of their duty, shall take an oath or affirmation, truly, faithfully, and diligently to examine into and decide on the rights of the parties, according to law and evdience, which oath may be administered by any person competent to administer oaths, and indorsed on their appointments.

Sec. —. That in addition to the evidence alluded to in this act, either party may produce any other evidence, either oral or written, all of which shall be reduced to writing, and made a part of the papers in said cause, and said persons named in the first section of this act in the investigation of said claim, and deciding on the right of the parties, shall be governed by the same rules of law and evidence that govern courts of justice in the trial of causes between private persons so far as the same are applicable.

Sec. —. Should it be made to appear before said persons, that

said McGinley has or did of his own wrong, fail to complete said contract according to the terms, true intent and meaning of the same, then and in that case the said McGinley, if he recover anything, shall only recover for the true amount of labor done and received by the proper engineer at its fair cash value after deducting therefrom any and all payment made by the State for said work.

Sec. —. That the State shall not be bound to pay for any stone or other materials furnished by said McGinley, and not put in said bridge, which said McGinley might have taken away as his own property at the time he abandoned said contract, nor shall said McGinley recover any damage sustained by his own fault or neglect, and which he might have avoided by complying with his contract.

Sec. —. That on a decision being had by the persons to be appointed by the first section of this act, the said persons shall file a copy of said award, with the testimony and papers in the cause, in the office of the clerk of Foyd circuit court, and it shall be the duty of the clerk of said court to spread said award on the order book of said court, and it shall and may be lawful for the judges of said court at any time within one year from the time said award is entered on the order book of said court, to grant to either party an appeal to the supreme court, in the same way and manner that appeals are granted in other causes: *Provided, however*, That the State of Indiana may appeal without giving any bond or security.

Sec. —. In case either party should appeal to the supreme court, it shall be the duty of the clerk of the Floyd circuit court to make out a full and complete record for the party appealing, as in other causes; said prosecuting attorney shall receive for his services three dollars per day for every day by him necessarily employed in attending to said cause, to be paid out of the State treasury on the Auditor's warrant, and said arbitrators shall receive three dollars per day for services, each to be paid as above, and said arbitrators shall have power to admister any oath that may become proper and necessary in the said investigation, which oath may be administered by either of them.

Sec. —. Before said investigation shall be had, it shall be the duty of said McGinley to file a bond with good security, in the office of the Auditor of State, conditioned for the payment of all costs that may be adjudged against him by said arbitrators.

Mr. Davis moved to amend the amendment by striking out "three" and inserting "one."

Mr. Ellis moved to lay the amendments on the table.

Mr. Conner moved to lay the bill, together with the amendments on the table.

A division of the question being ordered,
The question recurring on laying the amendments on the table,
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Cassatt, Chenowith, Coats, Day, Davis, English, Ellis, Howel, Huffstetter, Martin, Miller, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Read, Rousseau, Simpson, Taber, Waters, Winchell, and Zenor—26.

Those who voted in the negative are,

Messrs. Beard, Conduit, Conner, Cornett, Goodnow, Green, Hamrick, Hardin, Henry, Holloway, Houghton, Hubbard, James, Marsh, McCarty, Milligan, Millikin, Randall, Robinson, Stewart, Verbrike, and Walpole—22.

The amendments were laid on the table.
The question being on laying the bill on the table,
It was not so laid.
Mr. Marsh moved that the bill be indefinitely postponed.
Pending which,
The Senate adjourned.

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2 o'clock P. M.

Senate assembled.

Mr. Marsh withdrew the motion to indefinitely postpone the bill.

Mr. Davis offered the following amendments:

Sec. —. Two of the persons to be appointed by the Governor under the provisions ot the first section of this act, shall be men of legal attainments, and before entering upon the discharge of their duty, said three persons shall take an oath, truly and faithfully to examine into and decide on the rights of the parties according to the principles of law and justice.

Sec. —. Before said investigation shall be had, it shall be the duty of said McGinley to file a bond with good security, in the office of the clerk of the Floyd circuit court, conditioned for the payment of all costs that may be adjudged against him by said arbitrators.

Either party may appeal to the supreme court at any time within thirty days after the rendering of the award. If said McGinley shall appeal, he shall give bond with security, to the satisfaction of the clerk of said Floyd circuit court, in the penalty of two hundred dollars, conditioned that he will prosecute his appeal to effect, and pay all costs occasioned thereby, if judgment shall be then rendered against him, and the finding of said court shall be paid in the premises, any thing in this act to the contrary notwithstanding.

That said arbitrator shall have power to subpœna all such witnesses as either shall desire, and compel their attendance, and either party shall have the right to take depositions by giving the usual notice.

Which amendments were adopted.

Mr. Cornett offered the following amendment:

SEC. —. That the prosecuting attorney of the Floyd circuit court shall have thirty days' notice of the time and place of said arbitration.

Which amendment was adopted.

The following amendment by Mr. Walpole:

That said arbitrators shall in all things conform to, and be governed by part 3d, of article 1st, of the Revised Statutes of 1843, except so much thereof as comes within purview of this act.

Mr. Orth moved the previous question, which was seconded.

The question being shall the main question now be put?

Was decided in the affirmative.

The question being shall the bill be engrossed for a third reading?

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Day, Davis, Ellis, Green, Holloway, Howel, Houghton, James, Martin, McCarty, Miller, Montgomery, Murphy, Murray, Orth, Osborn, Rousseau, Simpson, Verbrike, Waters, Winchell, and Zenor—29.

Those who voted in the negative are,

Messrs. Conner, Cornett, English, Goodnow, Hamrick, Hardin, Henry, Hubbard, Huffstetter, Malott, Marsh, Milligan, Millikin, Morrison, Randall, Read, Robinson, Stewart, Taber, and Walpole —20.

The bill was ordered to be engrossed for a third reading.

Mr. Hardin, chairman of the committee on enrolled bills submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have compared bill of the Senate No. 45, with the original, and find it correctly enrolled.

Mr. Henry, chairman of the committee on education, submitted the following report:

MR. PRESIDENT:

The committee on education, who were instructed to inquire into the expediency of providing by law for a re-valuation of lands, mortgaged to the surplus revenue fund, in case the same cannot be sold for the amount chargeable thereon, have had that subject under consideration, and directed me to report the following bill and recommend its passage:

No. 197. An act to amend article eight of chapter thirteen of the Revised Statutes of 1843, in relation to the surplus revenue fund.

Which was read the first time, and ordered to a second reading.

Mr. Henry, chairman of the committee on education, submitted the following report:

MR. PRESIDENT:

The committee on education, to whom was referred the petition of N. B. Hawkins, and others, praying the passage of a law authorising the county commissioner of Jay county to borrow money for the completion of the county seminary of said county, have had that subject under consideration, and directed me to report the following bill, and recommend its passage:

No. 198. An act to authorize the board of county commisioners of Jay county to borrow money;

Which was read the first time, and ordered to a second reading.

Mr. Randall submitted the following report from the committee on education:

MR. PRESIDENT:

The committee on education, to whom was referred the petition of sundry citizens of Cass county, in relation to the sureties of Jas. H. Kintner, have had the same under consideration and have directed me to report the following bill and respectfully recommend its passage:

No. 199. A bill for the relief of James H. Kintner, late school commissioner of Cass county;

Which was read the first time, and ordered to a second reading.

Mr. Millikin, chairman of the committee on corporations, submitted the following report:

MR. PRESIDENT:

The committee on corporations to which was referred bill of the Senate No. 72, have had the same under consideration, and directed

me to report it back to the Senate without amendment and recommend its passage:

No. 72. A bill to incorporate the Fairfield Hydraulic company;

Which was ordered to be engrossed for a third reading.

Mr. Goodnow, chairman of the committee on unfinished business, made the following report:

MR. PRESIDENT:

The committee on unfinished business, in obedience to a resolution of the Senate, herewith report bill of the House No. 435, of the last session, entitled—"No. 200. An act for the relief of Robert Earl," for the action of the Senate;

Which was read the first time.

The rules being suspended, read a second time and referred to committee on claims.

Mr. Berry submttted the following report from a select committee:

MR. PRESIDENT:

The select committee to which the petition of Mary Caughman praying the passage of an act divorcing her from her husband, William E Caughman, have had the same under consideration and have directed me to report the following bill and recommend its passage:

No. 201. A bill to divorce Mary Caughman from her husband, William E. Caugham;

Which was read the first time and ordered to a second reading.

Mr. Randall submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred the bill of the House No. 23, entitled "A Bill to locate a State road in the counties of Allen and DeKalb," have had the same under consideration and have instructed to make the following amendments, and upon their adoption by the Senate to respectfully recommend its passsage:

Amend by striking out of section 1 all after the words "through said section 4," and insert "to the center of section 9:" strike out of the bill all of section 4.

Which were concurred in by the Senate, and the bill ordered to be engrossed.

Mr. Hubbard submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred the petition of sundry citizens of Rushville township, in Rush county, asking for the passage of an act prohibiting the sale of spirituous liquors, have had the same under consideration, and directed me to report the following bill and recommend its passage:

No. 202. A bill to prevent the sale of spirituous liquors in the town of Rushville;

Which was read the first time, and ordered to a second reading.

Mr. Holloway submitted the following report from a select committee:

MR. PRESIDENT:

The committee to which was referred the petition of sundry citizens of Wayne county, asking a charter for a turnpike road from Richmond via Washington to Hagerstown, in said county, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 203. A bill to incorporete the Richmond and Hagerstown turnpike company;

Which was read the first time and ordered to a second reading.

Mr. Berry subwitted the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred the petition of John Mathers and Samuel Mathers, have had the subject matter therein contained under consideration and direct me to report the following bill:

No. 204. A bill for the relief of certain persons therein named;

Which was read the first and second times, and ordered to a second reading.

Mr. Davis submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred the petition of John Kerney, have had the same under consideration, and have instructed me to report the following bill, and recommend its passage:

No. 205. An act for the relief of John Kerney, and to authorize him to sell certain real estate;

Which was read the first time.

The rules being suspended, the bill was read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Marsh submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of several citizens of Steuben county, have had that subject under consideration, and directed me to report the following bill:

No. 206. An act to incorporate the Steuben county Medical society;

Which was read the first time, and ordered to a second reading.

Mr. Orth submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred the petition of sundry citizens of Tippecanoe and Clinton counties praying for an act of incorporation, authorizing them to construct a turnpike road, have, according to order, had the same under consideration, and instructed me to report the following bill, and respectfully recommend its passage:

No. 207. A bill to incorporate the Wild Cat turnpike company;

Which was read the first time and ordered to a second reading.

Mr. Davis submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred the petition of N. H. Cobb and others, relative to certain school lands in Floyd county, have had the same under consideration, and have instructed me to report the following bill and recommend its passage:

No. 208. An act in relation to certain school lands in Floyd county;

Which was read the first time, and ordered to a second reading.

Mr. Houghton submitted the following report from a select committee:

MR. PRESIDENT:

The committee on canals and internal improvements to whom was referred the petition of the citizens of Martin county, praying an appropriation to build a bridge across a bayou near Hindostan

in Martin county, on the New Albany and Vincennes turnpike road, have had the same under consideration, and directed me to report the following bill, and recommend its passage:

No. 209. A bill to authorize the ——— to build a bridge across the bayou near Hindostan;

Which was read the first time, and ordered to a second reading.

Mr. Randall submitted the following resolution:

Resolved, That the State Printer be and he is hereby requested to inform the Senate the reason why the Governor's annual message, and Washington's farewell address, in the English language, have not been furnished, as ordered by the Senate;

And also, why he cannot procure the copies of the same, as ordered, in the German and French languages before the adjournment of the present Legislature.

Which was adopted.

On motion by Mr. Verbrike,

Resolved, That the Senate will, on each day at 2 o'clock, P. M., proceed to the consideration of the orders of the day, and continue, from day to day, each afternoon, until such orders of the day are disposed of.

Adopted.

On motion by Mr. Coats,

Resolved, That there be a select committee appointed, to consist of one member from each Congressional district, to inquire into the expediency of offering a reward for the discovery of the cause of the disease commonly called milk sickness, with leave to report by bill or otherwise.

The following Senators were appointed said committee:

Messrs. Coats, Miller, English, McCarty, Holloway, Hardin, Rousseau, Hamrick, Murray, and Marsh.

On motion by Mr. Millikin,

The following resolution was taken from the table:

Resolved, That the Senate will, the House concurring therein, adjourn *sine die*, on Monday, February 7th, 1848.

Mr. Hubbard moved to amend the resolution by striking out February 7th and insert February 18th.

A division of the question being called for,

The question then being on striking out,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Berry, Cassatt, Chenowith, Davis, English, Hamrick,

Holloway, Houghton, Hubbard, Montgomery, Osborn, Robinson, Rousseau, Simpson, Stewart, Taber, Verbrike, Waters, Winchell —19.

Those who voted in the negative are,

Messrs. Barbour, Beard, Coats, Conduit, Conner, Cornett, Day, Ellis, Goodnow, Green, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Murphy, Murray, Orth, Randall, Read, Walpole, Zenor—30.

The resolution was not so amended.
The question recurring on the adoption of the resolution,
The ayes and noes being called for by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Coats, Conduit, Conner, Cornett, Day, Ellis, Goodnow, Green, Hardin, Henry, Howel, Huffstetter, James, Malott, Martin, McCarty, Miller, Millikin, Morrison, Murphy, Murray, Orth, Randall, Read, Walpole, Zenor—27.

Those who voted in the negative are,

Messrs. Barbour, Berry, Cassatt, Chenowith, Davis, English, Hamrick, Holloway, Houghton, Hubbard, Marsh, Montgomery, Osborn, Robinson, Rosseau, Simpson, Stewart, Taber, Verbrike, Waters, Winchell—22.

The resolution was adopted.

The following message was received from His Excellency, the Governor, by Mr. Sleeth, his private secretary :

Mr. President :

I am directed by the Governor to inform the Senate that he did, on yesterday, approve and sign bill No. 109, entitled an act to amend an act entitled "an act to provide for the continuance of the construction of all or any part of the public works of this State by private companies, and for abolishing the board of internal improvements and the offices of fund commissioner and chief engineer," approved January 13th, 1842, so far as the same is applicable to the Shelbyville and Edinburgh Rail Road ;

And that he did, on this day, approve and sign bill No. 45, entitled an act to vacate a part of a State road in the county of St. Joseph;

Both of which originated in tfie Senate.

January 25th, 1848.

On motion by Mr. Cassatt,

Resolved, That the committee on the judiciary be instructed to inquire whether the existing laws of this State—the Wabash and Erie Canal lands lately transferred to the trustees, by the act entitled an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansvill—are liable to be taxed, and if not so liable, to report a bill for that purpose ; *Provided*, It does not conflict with the provisions of the act above referred to.

On motion by Mr. Winchell,

Resolved, That the judiciary committee be instructed to institute an inquiry into the conduct of the trustees, on the part of the bond holders, of the Wabash and Erie Canal, and the clerk of the land office at Logansport, for the purpose of ascertaining whether said trustees have not violated the provisions of an act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie canal to Evansville, so far as said act prohibits the reception of canal land scrip in payment for land, or, on any account, at any sum less than the face of such "scrip," and interest thereon, with power to send for persons and papers.

And be it further resolved, That, should it appear to the satisfaction of said committittee that said trustees have either directly or indirectly, violated such provision, that said committee be instructed to report a joint resolution, declaring said office of canal trustee forfeited, so far as the present incumbents on the part of the bondholders are concurred.

Mr. Hamrick moved to lay the resolution on the table.
The ayes and noes being demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Coates, English, Hamrick, Henry, Howel, Houghton, Huffstetter, Miller, Millikin, Murray, Randall—13.

Those who voted in the negative are,

Messrs Barbour, Cassatt, Conduit, Conner, Cornett, Day, Davis, Ellis, Goodnow, Green, Hardin, Holloway, Hubbard, James, Malott, Marsh, McCarty, Milligan, Montgomery, Murphy, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Stewart, Taber, Verbrike, Walpole, Waters, Winchell—32.

The resolution was not laid on the table.
Mr. Miller moved that the Senate adjourn ;
Which was not agreed to.

Mr. Cassatt moved to amend the resolution by inserting the words "clerk of the land office at Logansport;"

Which was adopted.

Mr. Osborn moved to amend by striking out so much as relates to reporting a joint resolution;

Which was adopted.

Mr. Millikin moved to amend by striking out the second resolution;

Which was adopted.

The resolution as amended was adopted.

Mr. Ellis moved to reconsider the vote taken on the resolution to adjourn *sine die* on the 7th of February;

Pending which,

The Senate adjourned.

WEDNESDAY MORNING, JANUARY 26, 1848.

The Senate assembled.

Reading the Journal was dispensed with.

On motion by Mr. Hamrick,

The previous orders of business were suspended, and bill of the Senate,

No. 152. An act to amend an act entitled, "An Act to incorporate the Terre Haute and Richmond Railroad Company," approved January 26, 1847;

Was taken up and read a second time and referred to a select committee of, Senators Hamrick, Holloway, Murphy, Stewart, Verbrike, Henry, and Walpole.

On motion by Mr. Millikin,

The orders of business were suspended, and bill of the House,

No. 145. A bill for the relief of tax payers in certain Counties therein named;

Was taken up and read.

Mr. Orth moved a second time, to insert Tippecanoe County,

When Mr. Robinson moved to amend, so as to make the provisions of the bill general.

Mr. Millikin moved to refer the bill and amendment to the Committee on Finance.

Mr. Marsh moved the following instructions:

The provisions of this bill shall extend to all Counties where the Hessian Fly destroyed their last crop of wheat.

On motion by Mr. Beard,

The instructions were laid on the table.

Mr. Robinson offered the following instructions:

Add the County of Decatur to the provisions of the bill.

Mr. Davis moved to amend the instructions, by instructing the committee to add to the provisions of the bill such Counties as they deemed needed relief.

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Conduit, Conner, Cornett, Day, Ellis, Goodnow, Hardin, Houghton, Hubbard, Marsh, McCarty, Miller, Milligan, Montgomery, Murphy, Orth, Robinson, Simpson, Walpole, Winchell—19.

Those who voted in the negative are,

Messrs. Barbour, Beard, Chenowith, Coats, Davis, English, Green, Handy, Holloway, Howell, Huffstetter, James, Malott, Martin, Millikin, Morrison, Murray, Osborn, Randall, Read, Taber, Verbrike, Waters, Zenor—24.

The instructions were not so ordered.

Mr. Miller moved the following instructions:

To add Gibson, Pike, and Dubois Counties to the provisions of the bill.

Mr Montgomery moved to add the Counties of Warren, White, Jasper, and Benton.

Mr. Berry moved to add Brown and Monroe Counties.

Mr. Orth moved to add the County of Tippecanoe.

Mr. Murphy moved to lay the bill, together with the instructions, on the table;

Which was not so ordered.

Mr. Millikin moved to lay the instructions on the table;

Which was so ordered.

The bill was referred to the Committee on Finance.

The President laid before the Senate the following communication from the State Printer;

Which was laid on the table.

STATE JOURNAL OFFICE,
January 26, 1848.

HON. PARIS C. DUNNING,
President of the Senate:

In answer to the resolution of the Senate in relation to printing the Governor's Message in the English, French, and German languages, the undersigned respectfully replies:

1st. The law requires that the Governor's Message shall be placed in the Journal of each House and in the Documentary Journal. To save money to the State, it is provided by law that but one composition shall be charged, and consequently the same type upon which the extra Messages are printed must go into the above forms. That the Message could be put in the proper place, the Journals had to be printed up to the day of its delivery, or otherwise the folios could not be properly arranged.

The Message was not delivered until the third week of the session, and previous to its delivery many documents (and some of them of great length) were ordered. Printing these documents kept the Journals back. The Senate Journal makes about one hundred pages, and the House, one hundred and twenty pages, up to the delivery of the Message; so that some idea may be formed, even by those who know but little about printing, of the great extent of the work necessary to be done before the Message could be printed.

This has all been accomplished, however, and the Message in English is at the binder's to be folded, and will be delivered to-day or to-morrow.

We venture the assertion, and are ready to submit it to a committee of practical Printers, that such are our facilities for expeditious printing, that a greater amount of work cannot be done in any other establishment in the Western country, in the same length of time, than has been done in the Journal office the past six weeks. The press-work of the Message alone, (being 136 token,) could not be done on any other press in the country in two weeks!

2d. There is not a font of German type in the city, nor is there a compositor who understands the language to set it up, if we had the type. The Message must be printed at Cincinnati, and it cannot be done previous to the adjournment.

There is no person in the city competent to translate the Message into the French. This must be done at Vincennes, where it was done last year, and it cannot be done previous to the adjournment.

Heretofore, when similar orders have been given, even at the commencement of the session, my predecessor has been unable to furnish them, and it is hardly to be presumed that it can now be done in one half the usual time.

It was provided in the resolution of the Senate ordering the Message, that it should not be printed unless it could be done previous to the adjournment. It was to meet this proviso that I gave the information I did a few days ago.

Respectfully, &c.,

JOHN D. DEFREES,

State Printer.

On leave, Mr. Marsh introduced

No. 210. A bill to legalize the act of the Auditor of Steuben County for the year 1847;

Was read the first time, and the rules suspended, the bill read a second ank third times and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Ellis moved to reconsider the vote taken on the resolution resolving to adjourn *sine die* on the 7th of February next;

Which was agreed to.

Mr. Read moved to strike out Monday the 7th of February next, and insert Thursday the 10th of February.

Mr Berry moved to postpone the farther consideration of the resolution until Monday next.

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Berry, Chenowith, Coats, Conduit, Day, Davis, English, Ellis, Hamrick, Henry, Holloway, Hubbard, Huffstetter, James, Milligan, Murray, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Waters, and Winchell—26.

Those who voted in the negative are,

Messrs. Conner, Cornett, Goodnow, Green, Handy, Hardin, Howel, Malott, Marsh, Martin, McCarty, Miller, Millikin, Montgomery, Morrison, Murphy, Orth, Randall, Read, Walpole, and Zenor—21.

The further consideration of the resolution and amendments was so postponed.

The following messages were received from the House of Representatives by Mr. Ward, their clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bill of the House:

No. 9. An act granting to the citizens of Rising Sun a city charter.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to the enrolled bill.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has appointed Messrs. Harvey, Meredith, Short, Lowe, Dole, Sullivan, and Blythe, as a joint select

committee of both Houses of the General Assembly, on the part of the House of Representatives, to consider a communication from the Secretary of State on the subject of his official conduct.

In which the concurrence of the Senate is requested.

Mr. Henry offered the following resolution:

Resolved, That the committee on corporations be instructed to insert in all bills referred to them incorporating Steam Mill and Manufacturing Companies a clause making the stockholders liable in their individual capacity for the payment of the debts of such corporation for an amount equal to the amount of stock they severally have subscribed, or hold in said corporation, over and above said stock.

Mr. Ellis moved to lay the resolution on the table.

The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Beard, Chenowith, Conduit, Cornett, Davis, Ellis, Goodnow, Green, Hamrick, Hardin, Holloway, Howel, Houghton, Hubbard, James, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Waters, Winchell, and Zenor—28.

Those who voted in the negative are,

Messrs. Barbour, Coats, Day, English, Handy, Henry, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, and Walpole—17.

The resolution was so laid on the table.

The following messages were received from the House of Representatives by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following Senate bills, to-wit:

No. 68. An act for the relief of the city of Lawrenceburgh;

No. 56. An act for the benefit of the Union Literary Society;

No. 61. An act to authorize Ira Baily to build an arm to the Knightstown and Shelbyville Railroad;

No. 63. An act to change the name of Lewis Myers to Lewis Myers Douglass;

No. 81. An act in relation to the organization of the Senate and House of Representatives;

No. 93. An act to repeal "An act to restrict the grand jury in Franklin county to a limited time in their sessions," approved Jan. 13, 1845;

No. 48. An act to authorize the clerk of Carroll circuit court to sell certain real estate;

No. 101. An act in relation to the county records of Lagrange county;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to the above bills, and they were delivered to the committee on enrolled bills to present to His Excellency, the Governor, for his approval and signature.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following joint resolution of the House:

No. 271. A joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to the joint resolution.

BILLS INTRODUCED.

By Mr. Beard,

No. 211. A bill to revive and amend an act, entitled "An act to incorporate the Crawfordsville and Wabash Railroad Company;

Was read the first time and ordered to a second reading.

By Mr. Cassatt,

No. 212. A joint resolution declaratory of the meaning of an act, entitled "An act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," approved January 19, 1847, and an act supplementary thereto, approved January 27, 1847, in relation to certain canal lands or tolls therein named;

Was read the first time and ordered to a second reading.

By Mr. Conduit,

No. 213. A bill to authorize Roderick M. Siler to relinquish certain school lands;

Was read the first time and ordered to a second reading.

By Mr. Conduit,

No. 214. A bill to incorporate the Mooresville Branch Railroad Company;

Was read the first time and ordered to a second reading.

By Mr. Conduit,

No. 215. A bill in relation to the dam and water power on the Central Canal in Morgan county;

Was read the first time and ordered to a second reading.

By Mr. Goodnow,

No. 216. A bill authorizing the Madison and Indianapolis Railroad Company to take stock in other companies, and for other purposes;

Was read the first time and ordered to a second reading.

By Mr. Holloway,

No. 217. A bill to incorporate the Wayne County Turnpike Company;

Was read the first time and ordered to a second reading.

By Mr. Hubbard,

No. 218. A bill to incorporate the Fair View Academy, in Rush county;

Was read the first time and ordered to a second reading.

By Mr. Millikin,

No. 219. A bill to authorize the improvement of Tanner's creek, in Dearborn county;

Was read the first time and ordered to a second reading.

By Mr. Murray,

No. 220. A preamble and bill in relation to the law prohibiting the Indians from selling land in this State;

Was read the first time, the rules suspended, read a second time, and referred to a select committee of Messrs. Murray, Taber, and Randall.

Also the accompanying petition.

By Mr. Orth,

No. 221. A bill for the benefit of widows and orphans;

Was read the first time and ordered to a second reading.

By Mr. Orth,

No. 222. A bill entitled a code of practice;

Was read the first time and ordered to a second reading.

Mr. Handy moved to adjourn,

Mr. Murphy, amend by stating the time of day to be 11 o'clock, A. M.

The ayes and noes being desired by two Senators:

Those who voted in the affirmative are,

Messrs. Handy Huffstetter, Montgomery, and Rousseau—4.

Those who voted in the negative are,

Messrs. Barbour, Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Conner, Cornett, Day, Davis, English, Ellis, Goodnow, Green, Hamrick, Hardin, Henry, Holloway, Howel, Houghton, Hubbard, James, Malott, Marsh, Martin, McCarty, Miller, Millikin, Morrison,

Murphy, Murray, Orth, Osborn, Randall, Read, Robinson, Simpson, Stewart, Taber, Verbrike, Walpole, Waters, Winchell, and Zenor—43.

The Senate did not adjourn.

By Mr. Osborn,

No. 223. A joint resolution relative to a harbor at Michigan city;

Was read the first time and ordered to a second reading.

By Mr. Randall,

No. 224. A bill to incorporate the Fort Wayne and Goshen Turnpike Company;

Was read the first time and ordered to a second reading.

By Mr. Robinson,

No. 225. A bill concerning certain claims therein named;

Was read the first time and ordered to a second reading.

By Mr. Rousseau,

No. 226. A joint resolution in regard to General Zachary Taylor;

Was read the first time and ordered to a second reading.

By Mr. Stewart,

No. 227. An act relative to the water power on the Central Canal;

Was read the first time and ordered to a second reading.

By Mr. Taber,

No. 228. A bill to incorporate the Lake Michigan, Logansport, and Ohio Railroad Company;

Was read the first time and ordered to a second reading.

By Mr. Winchell,

No. 229. An act fixing the compensation of probate judges in Ripley county;

Was read the first time and ordered to a second reading.

BILLS ON THIRD READING.

No. 47. A bill to incorporate the Rushville and Lawrenceburgh Railroad Company;

Was read a third time, and passed.

The ayes and noes being desired on the passage of the bill by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Berry, Chenowith, Coats, Conduit, Conner, Cornett, Davis, Goodnow, Green, Hamrick, Holloway, Howel, Houghton, Hubbard, Huffstetter, James, Malott, Martin, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Waters, Winchell, and Zenor—36.

Those who voted in the negative are,

Messrs. Barbour, English, Handy, Hardin, Marsh, Milligan, Randall, and Stewart—8.

No. 53. A bill to incorporate the Crawfordsville and Indianapolis Railroad Company;
Was read a third time, and passed.
The ayes and noes being desired on the passage of the bill by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Berry, Chenowith, Conduit, Conner, Cornett, Day, Davis, Ellis, Goodnow, Green, Hamrick, Houghton, Hubbard, Malott, Martin, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Read, Robinson, Simpson, Taber, Verbrike, Walpole, Waters, Winchell, and Zenor—32.

Those who voted in the negative are,

Messrs. Barbour, English, Handy, Hardin, Marsh, McCarty, Miller, Milligan, Randall, and Stewart—10.

No. 72. A bill to incorporate the Fairfield Hydraulic Company;
Was read the third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 77. A bill to incorporate the Madison and Brownstown Turnpike Company;
Was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 89. A bill to incorporate the French Lick, steam mill company;
Was read a third time and passed.

Ordered, That the secretary inform the House thereof.

No. 88. A bill to amend the one hundred and eighteenth section, of article seventeen, chapter seventeen of theRevised Statutes, relative to the tax sales;
Was read a third time and,
The ayes and noes being demanded, on the passage of the bill, by two Senators;

Those who voted in the affirmative are,

Messrs. Ellis, McCarty—2.

Those who voted in the negative are,

Messrs. Brbour, Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Conner, Cornett, Day, Davis, English, Goodnow, Green, Hamrick, Handy, Hardin, Henry, Holloway, Howell, Houghton, Hubbard, Huffstetter, James, Malott, Marsh, Martin, Miller, Milligan, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Read, Randall, Robinson, Rousseau, Simpson, Stewart, Taber, Verbrike, Walpole, Winchell, Zenor—47.

So the bill was not passsed.
Senate adjourned.

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2 *o'clock P. M.*

The Senate assembled.
Mr. English presented a petition of sundry citizens of Jackson county relative to the Fischli estate; which,
On motion by Mr. English,
Was referred to the judiciary committee.
Mr. Hardin submitted the following report from the committee on enrolled bills:

MR. PRESIDENT:

The committee on enrolled bills have compared bills of the Senate Nos. 48, 56, 61, 63, 68, 81, 93, and 101, with the originals and find them correctly enrolled.

MR. PRSIDENT:

The committee on enrolled bills did this day present to the Governor, for his approval and signature, enrolled bill of the Senate No. 45.

No. 94. A bill to amend the tenth chapter of the Revised Statutes of 1843, in relation to the duties of county surveyors;
Was read a third time and passed.

Ordered, That the secretary inform the House thereof.

No. 95. A bill declaratory of the meaning of the 30th section of chapter 37, of the revised statutes of 1843;
Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 103. A bill in relation the suit of the Vincennes University against the State of Indiana;

Was read a third time and passed.

Ordered, That the secretary inform the House thereof.

No. 113. A bill abolishing the office of school commissioner in the county of Putnam;

Was read a third time and passed.

Ordered, That the secretary inform the House thereof.

No. 118. A bill to incorporate the Ripley county Medical Society;

Was read a third time and passed.

Ordered, That the secretary inform the House thereof.

No. 121. A bill to amend an act entitled "an act to incorporate the Ohio and Indianapolis rail road company," approved January 20, 1846.

Mr. Read offered the following amendment:

Sec.—"Said company shall not be authorized to issue any scrip, under the provisions of this act;

Which amendment was adopted, and the bill read a third time.

The ayes and noes were demanded by two Senators, on the passage of the bill.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Conner, Cornett, Day, Davis, English, Ellis, Goodnow, Green, Hamrick, Holloway, Howel, Houghton, Hubbard, Huffstteter, James, Malott, Martin, Miller, Milligan, Millikin, Morrison, Murphy, Murray, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Waters, Winchell, Zenor—41.

Those who voted in the negative are,

Messrs. Barbour, Handy, Hardin, McCarty, Randall, Stewart—6

The bill was passed.

Ordered, That the secretary inform the House thereof.

No. 125. A bill for the relief of Ann Henderson;

Was read a third time and,

The ayes and noes being desired by two Senators, on the passage of the bill':

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Cassatt, Coats, Conduit, Conner, Day,

Davis, English, Handy, Hardin, Holloway, Howel, Houghton, Hubbard, James, Marsh, Martin, Miller, Milligan, Millikin, Murray, Osborn, Randall, Read, Rosseau, Simpson, Taber, Walpole, Waters, Winchell—31.

Those who voted in the negative are,

Messrs. Beard, Chenowith, Cornett, Goodnow, Green, Hamrick, Huffstetter, Malott, McCarty, Morrison, Murphy, Orth, Robinson, Stewart Verbrike, Zenor—16.

The bill was passed.

No. 121. A bill (of the Senate) for the relief of Patrick McGinley.

Mr. Davis offered the following amendments:

Amend by adding the following sections:

Sec. —. The award contemplated in this act may be set aside by the supreme court for any of the following causes:

1. If the same shall have been obtained by fraud, corruption, partiality, or other undue means.

2. If said arbitrators shall have been guilty, in the investigation of said case of misconduct, in refusing to postpone the hearing upon sufficient cause shown, or in refusing to hear evidence material and pertinent to the controversy or admit evidence improperly; and either party may, in the progress of said case, take all proper exceptions.

Sec. —. The supreme court may modify or correct the award contemplated in this act, for any of the following causes:

1. If there has been a miscalculation of figures or an evident mistake.

2. If said arbitrators shall have awarded upon some matter not submitted to them.

Sec. —. If said case shall be taken to the supreme court, said court may fully examine into the merits of the same and decide it according to law and justice.

Which amendments were adopted.

The bill was then read a third time, and,

The ayes and noes being desired by two Senators on the passage of the bill,

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Cassatt, Chenowith, Coats, Day, Davis, Ellis, Green, Holloway, Howell, Houghton, Huffstetter, McCarty, Miller, Montgomery, Murphy, Murray, Orth, Osborn, Rousseau, Simpson, Verbrike, Waters, Winchell, Zenor—26.

Those who voted in the negative are,

Messrs. Berry, Conner, Cornett, Goodnow, Hamrick, Handy, Har-

din, Henry, Hubbard, Malott, Marsh, Martin, Milligan, Millikin, Morrison, Randall, Read, Robinson, Stewart, Taber, Walpole—21.

The bill was passed.

No. 131. A bill (of the Senate) to amend an act entitled an act to incorporate the city of Logansport, approved January 13th, 1845;

Was read a third time and passed.

No. 135. A bill (of the Senate) for the relief of John Boone;

Which was read a third time and passed.

Ordered, That the secretary inform the House thereof.

No. 74. An act (of the House) regulating special elections ordered by the Governor;

Which was read the third time and passed.

Ordered, That the secretary inform the House thereof.

No. 19. A bill (of the House) relative to horses and jackasses;

Which was read a third time and passed;

Ordered, That the secretary inform the House thereof.

No. 28. A bill to locate a State road in the counties of Allen and DeKalb;

Which was read a third time and passed.

Ordered, That the secretary inform the House thereof.

No. 208. An act to authorize the erection of a certain bridge in in Martin county;

Which was read a second time and passed to a third reading.

No. 58. An act for the punishment of embezzlement;

Which was read a second time and referred to the judiciary committee.

No. 62. A bill for the benefit of S. E. Waller and Geo. Green.

Mr. Robinson offered the following amendment:

Strike out seventy and insert fifty.

Mr. Ellis moved to lay the amendment on the table;

Which was so ordered.

The blll was read a second time and ordered to be engrossed for a third reading.

No. 65. A bill to vacate a portion of an addition to the town of Lafayette;

Which was read a second time and ordered to be engrossed for a third reading.

No. 166. A joint resolution relative to the Mexicon war.

Mr. Murphy moved to refer the joint resolution to the committee on federal relations.

Mr. Ellis moved to lay the joint resolution, together with the instructions, on the table.

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Winchell, and Zenor—25.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin Morrison, Randall, Read, Stewart, Taber, and Waters—25.

There being a tie vote,

The President decided that the resolution and instructions do not lie on the table.

Mr. Davis moved to postpone the further consideration of the subject till Tuesday next at 2 o'clock, P. M.

Which was not agreed to.

Mr. Murphy withdrew his moiion on the reference to the committee on federal relations.

Mr. McCarty moved to amend the joint resolution, by striking out the first resolution and inserting the following:

That Mexico, by spoliations committed upon our commerce, by her neglect to pay debts due our citizens, and acknowledged and stipulated for by treaty, by asserting title to territory, lawfully acquired by our government, of a nation competent to cede the same, by rejecting our diplomatic agents and all overtures for the amicable adjustment of the difficulties existing between the two governments, by threatening war and marching a hostile army upon our soil, and menacing thereby the lives and property of American citizens, and by attacking our army under General Taylor and shedding American blood upon American soil, provoked and began the existing war, and made the same a just and necessary war upon the part of this government.

Strike out of second resolution, "that when war was declared," and insert, "that when war existed."

On motion by Mr. Beard,

A division of the question was ordered.

The question recurring on striking out;

Which was so ordered.

The question then being, on inserting Mr. McCarty's amendment,

Mr. Davis offered the following as an amendment to Mr. McCarty's amendment:

Strike out all after the resolving clause, and insert the following:

That in the opinion of this General Assembly it is no less desira-

ble that the interests and honour of our country should be sustained and defended as long as the present war with Mexico continues to exist, than that the conflict should not be unnecessarily prolonged, but should be terminated so soon as a peace upon terms just and honorable to both nations can be obtained.

And be it further resolved, That in the opinion of this General Assembly the present war with Mexico ought not to be waged with a view to conquest or the dismemberment of the Republic of Mexico, by acquisition of any portion of her territory.

Be it further resolved, That if any territory shall be acquired from the Republic of Mexico, it is the anxious desire of the members composing this General Assembly, and of the people represented by it, that there shall be neither slavery nor involuntary servitude in said territory otherwise than for the punishment of crimes whereof the party shall have been duly convicted.

Be it further resolved, That the regulars and volunteers who have, or who may hereafter have, in the war with Mexico, and the surviving soldiers of the late war with Great Britain, and the surviving soldiers of the Indian wars of our country, ought each to receive from the General Government one hundred and sixty acres of land, in addition to what they have received or may hereafter receive under the existing laws.

Be it further resolved, That we hereby instruct our Senators in Congress, and request our Representatives, to use their exertions to carry out our wishes and opinions as expressed in the foregoing resolutions.

Be it further resolved, That the Governor of this State be requested to forward a copy of the foregoing resolutions to our Senators and Representatives in Congress.

Mr. Howel moved to lay the amendment offered by Mr. Davis on the table.

Mr. Ellis moved to lay the amendment offered by Mr. McCarty, together with the amendment offered by Mr. Davis, on the table.

On motion by Mr. Berry,

A division of the question was ordered.

The question recurring on laying the amendment of Mr. McCarty on the table,

The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Winchell, and Zenor—24.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Murray, Randall, Read, Stewart, Taber, and Waters—26.

The amendment was not laid on the table.

The question then being on laying the amendment offered by Mr. Davis on the table,

The ayes and noes being demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, Miller, McCarty, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, and Waters—25.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Winchell, and Zenor—25.

There being a tie vote,

The President decided that the amendment lay on the table.

Mr. Ellis moved to refer the resolution to the committee on federal relations;

Mr. Robinson offered the following instructions:

Resolved further: That it is the unanimou opinion of this General Assembly, that the President of the United States committed a great error when he gave to Santa Anna a free passport by which he procured a passage into Mexico, thereby prolonging the war, and causing the death of many of our officers and soldiers, and a greater waste of money, and the creation of a larger national debt, and also a greater error, by his veto on the western river and harbor bill.

Mr. Osborn moved the following instructions:

Be it further Resolved: That if any territory shall be acquired from Mexico, in the opinion of this General Assembly: there should be neither slavery nor involuntary servitude therein, except for the punishment of crimes.

On motion by Mr. Barbour,

A division of the question was ordered.

Mr. Read moved to reconsider the vote taken on striking out.

Mr. Conner moved the Senate adjourn.

The ayes and noes being demanded by two Senators;

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conner, Conduit, Cornett, Davis, English, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Murray, Osborn, Robinson, Rousseau, Verbrike, Walpole, Winchell, Zenor—22.

Those who voted in the negative are,

Messrs, Barbour, Berry, Coats, Day, Green, Handy, Hardin, Henry, Howell, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Montgomery, Morrison, Murphy, Orth, Randall, Read, Simpson, Stewart, Taber, Waters—28.

The Senate did not adjourn.

On motion by Mr. Read,

The vote taken on laying the amendment of Mr. Davis, on the table, was reconsidered.

On motion by Mr. Read,

The vote taken on striking out, was reconsidered.

Mr. Handy moved the previous question.

Pending which,

Mr. Conner moved that the Senate adjourn;

The ayes and noes being demanded by two Senators;

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Winchell, Zenor—24.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howell, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, Waters—25.

The Senate did not adjourn.

Mr. Orth moved a call of the Senate;

Which the President decided out of order.

On motion,

The Senate adjourned.

THURSDAY MORNING, JANUARA 27, 1848.

The Senate assembled.

The journal of the preceding day was read.

On motion by Mr. Davis,

The previous order of business was suspended, and bill of the House, No. 39 was taken up;

No. 39. A bill to amend an act entitled, 'an act granting to the citizens of the town of Evansville, a city charter; approved January 27, 1847.

Which was read a second and third times, and passed.

Ordered, That the secretary inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed joint resolutions and bills of the Senate, with amendments:

No. 13. A joint resolution relative to bounty land warrants.

No. 43. An act for the relief of Elizabeth Jones of Gibson county.

No. 46. An act to amend the act incorporating the Brookville and Cincinnati turnpike company.

No. 96. A joint resolution relative to the Miami Indians.

In which amendments of the House, the concurrence of the Senate is respectfully requested.

Mr. Osborn presented a petition of E. D. Taylor and other citizens of Laporte county, relative to a plank road; which,

On motion by Mr. Osborn,

Was referred to the committee on corporations.

On motion by Mr. Murphy,

The order of business was suspended, and the following message from his Excellency the Governor, was taken up:

To the Senate:

GENTLEMEN:—The accompanying bill, No. 114, entitled, 'an act to amend an act entitled an act incorporating the White Water valley canal company; approved January 20th 1842, is herewith returned, with the reasons which have induced me to withhold my sanction to its becoming a law. In the midst of my public duties, time will not allow me to do more than to point out the objectionable features of the bill, and to hastily and imperfectly give my views in relation to them.

The 5th section repeals the 'second proviso in the second section of the company's charter, which was passed, as is above seen, in January 1842. That proviso, on reference to the charter, is found to contain the stipulation that at the end of fifteen years from the time the company should finish the canal, the State shall have the net profits which may arise from the canal over and above eight per cent.. And this possible overplus, and at the end of fifteen years too, is the whole pecuniary recompence, secured to the State, in return for her giving to the company, the canal leading to Lawrenceburgh and Cincinnati, through the most flourishing and wealthy part of the State, and which had cost her eleven hundred thousand dollars. The company have expended less than half that amount, for both finishing and repairing the canal, and yet receive for their share all the profits for fifteen years, and afterwards eight per cent, clear of expenses forever.

And it is now proposed to repeal and abolish the last chance of the State's getting even that possible overplus. An overplus too, with which as originally intended, she is to be aided in paying her heavy debt—that debt of which this same eleven hundred thousand dollars is a part. When a measure is pressed upon the Legislature by which private interests are sought to be benefited at the expense of the public, there will never be any lack of argument to pursuade the reluctant that it will have no such operation, and indeed that it will be for the general advantage to adopt it. When the canal was granted to the company, it was probably urged as a reason why it should be done, that this overplus would yield a handsome return to the treasury, *Now*, however, it is said that there is little or no chance that there will be any overplus. If this be true, it is another proof that the State made a losing bargain, in granting the charter. And indeed it is almost universally true, that where a State and a company are jointly concerned, it is at the expense of the State. The representatives of the private interests, ever sleepless and watchful, seldom rest satisfied until, by importunity or diplomacy, renewed from year to year, with legislators of different experience and temperament, they despoil the State of her share. But to return: If there can be no such overplus, the company would gain nothing by taking away the chance of it from the State. The great objection to the repeal is the principle involved—without reference to the value of the thing surrendered—the principle of making a direct pecuniary grant, however remote or contingent, to a company for a public work. Should we not at a subsequent session be met with a request, that other rights which the State may have reserved in this work, shall also be surrendered? At this time when there are so many rival claims for railroads and other works, would not such a grant be relied on as a precedent, and give rise to similar demands from otherquarters? Is there not danger that this would lead to a combination of interests, ending in another heavy debt? Experience answers these questions in the affirmative.

The canal having suffered by the floods, the position has been

taken that the State, as a parent, owes it to her citizens who are stockholders to come to their aid, and relieve their distress.

But even if that principle be correct, the State does not occupy the relation of a parent to the stockholders who belong to other States. It has been stated in a public print published in Cincinnati, as a matter of financial information, that a large majority in amount of the stock and property in the canal belongs to citizens of Ohio. It is true, since this bill has been laid before me, I have heard this statement doubted or denied, but all seem to admit that a large amount of the stock is owned by citizens of that State. Now while the losses of the citizens of our sister State, are, I doubt not a matter of serious regret with all of us, yet it will hardly be contended if public aid is to be invoked in their behalf, on this score, that this State rather than their own, to whom they pay their taxes, should give them relief. But the repealing clause in question benefits all stockholders alike, without reference to their place of residence. It may be asked too, in reference to this question of relief, which party needs it the most, the State or the stockholders? Which is the most deeply in debt? Whatsoever *benefit*, if benefit it be, which the stockholders would receive by this measure, would be taken from the State, and indirectly from the pockets of the people at large. Many of the latter have suffered in property from the same floods. Others have suffered from other but not less injurious causes. Many are very poor. Can the same be said of the stockholders generally? If it can, they are certainly unlike the great majority of stockholders in our country. As a *general* rule among us, stock invested in similar enterprises, is the superfluity of those who are in comparatively easy circumstances. Now as a measure of mere equity, ought a tax to be imposed on many whom we see among us every day, to make up the loss of the mere superfluities of others? An impartial parent moved by the common affections of our nature would not so decide among his children, and as the parental relation of the State has been invoked, it seems to me the same principle should apply.

Were I to be governed by my private sympathies, I could find much in my relations with those of the stockholders with whom I am pesonally acquainted, to induce me to sign this bill. It is painful to refuse the request, warmly urged as this has been, of persons with whom I am in habits of friendship and intimacy. But I trust my public duty, will ever be regarded and acted upon while in office, as my highest duty. In my first exposition of my views of State policy, made while occupying my present relation with my fellow citizens, it was stated that I should be governed in the discharge of my duties "by regarding the affairs and interests of Indiana as the *first* object of my care and solicitude." I trust my conduct will prove this declaration to have been no idle formality.

The State has formerly been retarded in her onward progress to wealth, prosperity and happiness, and was once brought to the very brink of ruin, by a want of the necessary forecast and firmness to

resist importunity and appliances in behalf of interests of an individual, a corporate, or a sectional charter. Such interests are almost always ably and keenly represented by persons on the ground, at nearly or quite every session of the General Assembly. On the other side there are none to guard and protect the public interest but those in whom the necessary power has been vested by a distant and confiding people. While we should be happy to suitably aid useful enterprise rightfully directed, let it never be forgotten that this aid should not be furnished at the expense of our constituents at large, whose agents we are, without very satisfactory evidence that it is so furnished with their consent.

In the mean time let a disappointed applicant comfort himself with the reflection, that if his request had been granted, systematic importunity, and indeed equity would require that similar requests on behalf of others should also be granted; and if the claims of equity are fully carried out, and all sections or interests are equally benefitted, none will be more so nor at less expense than it would have been, had it borne its own burden at the commencement. My regret in withholding my signature from this bill is lessened by my conviction that, considering the amount already invested in the canal, the comparatively small sum necessary to put it in repair will be soon furnished from private capital, for the purpose of making the whole productive, by the transportation of the products of the extensive and fertile valley through which it lies.

JAMES WHITCOMB.

January 26th, 1848.

On motion by Mr. Murphy,

A call of the Senate was ordered;

The Sergeant-at-arms was despatched for the absentees.

The Senators all present.

The question being, "shall the bill pass notwithstanding the objections of his Excellency the Governor?"

The ayes and noes being called, according to the requisitions of the constitution, in such cases made and provided;

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Rousseau, Simpson, Verbrike, Waters, Winchell, Zenor—24.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Cornett, Day, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Morrison, Randall, Read, Robinson, Stewart, Taber, Walpole—26.

So the bill did not pass.

Mr. Holloway presented a petition of sundry citizens of Wayne county, on the subject of the black laws;

Which was referred to the committee to which a petition on the same subject has been referred, Mr. Holloway, chairman.

Mr. Holloway presented a petition of sundry citizens of Wayne county, on the subject of retailing ardent spirits; which,

On motion by Mr. Holloway,

Was referred to a select committee;

Messrs. Holloway, Cornett, and Walpole, were appointed said committee.

Mr. Berry submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of John Campbell praying the vacation of a portion of a certain street in Bloomington, have directed me to report the following bill, and recommend its passage:

No. 230. A bill to vacate a certain street in the town of Bloomington;

Which was read a first time, and ordered to a second reading.

Mr. Orth submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of sundry citizens of Benton county, praying that a portion of their county may be attached to and hereafter form a part of the county of Tippecanoe, have had the subject under consideration, and a majority of said committee have instructed me to report the following bill, and respectfully recommend its passage:

No. 231. A bill to annex a portion of the territory of the county of Benton to the county of Tippecanoe;

Which was read the first time, and ordered to a second reading.

The following message was received from the House of Representatives by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following bill of the House:

No. 19. An act to repeal an act in relation to horses and jackasses.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bill.

And it was delivered to the committee on enrolled bills to present to his Excellency the Governor, for his approval and signature.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following bills of the Senate:

No. 36. An act relative to the practice in the Laporte Circuit Court.

No. 22. An act to prohibit the sale of spirituous liquors and wines in Henry township, Henry county, Indiana.

No. 60. An act to incorporate the Greenbush Cemetary Association, in Tippecanoe county.

No. 35. An act for the relief of Zachariah Collins.

No. 34. An act to vacate certain streets and alleys in the town of Raysville, Henry county.

No. 4. An act to incorporate the Franklin Institute of Richmond University.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to the enrolled bills.

Which were delivered to the committee on enrolled bills to present to the Governor for his approval and signature.

BILLS INTRODUCED.

By Mr. Berry,

No. 232. A bill to repeal a certain act therein named, in relation to loaning School Funds;

Which was read the first time and ordered to a second reading.

By Mr. Green,

No. 233. A bill to incorporate the Chamberlain Cotton Mills;

Was read the first time and ordered to a second reading.

By Mr. Murphy,

No. 234. A bill to amend an act entitled "An Act to incorporate the White Water Valley Canal Company," approved, January 20th, 1842.

Was read the first time and ordered to a second reading.

The following preamble and resolution were offered by Mr. Cassatt:

WHEREAS, A rumor has reached this city that a treaty has been concluded between our minister (Mr. Trist) and the Mexican authorities, whereby a cessation of hostilities is likely to ensue, and the

blessings of peace once more visit our happy land and the ill-fated Mexican Government;

AND WHEREAS, We look upon this act of our Government in concluding a peace with Mexico, (if it be true,) as an example which it would be laudable for the members of this Senate to follow in relation to the subject of the Mexican war; Therefore,

Be it Resolved, That we, the Whig and Democratic members of this Senate, will "go and do likewise." That we will restore peace and order in this Senate chamber, by ceasing our useless and offensive debate on the Mexican war; and that we will proceed to the consideration of legitimate objects of legislation till we have performed the duties confided to our hands by our constituents, and that we will then adjourn, and renew (if necessary) the debate on the Mexican war at a time when it will not be at an expense of 500 dollars per day out of the pockets of our constituents.

The ayes and noes being desired by two Senators,

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Millikin, Montgomery, Murphy, Murray, Orth, Robinson, Rousseau, Simpson, Verbrike, Walpole, Winchell, Zenor—26.

Those who voted in the negative are,

Messrs. Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Morrison, Randall, Read, Stewart, Taber, Waters —23.

The resolution was adopted.

Mr. Barbour moved to reconsider the vote taken on the adoption of the resolution,

Pending which,

On motion,

The Senate adjourned.

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2 o'clock P. M.

The Senate assembled.

On motion by Mr. Simpson,

The previous order of business was suspended, and bill of the Senate taken up.

No. 89. A oill amendatory to an act entitled "An Act to incorporate the White Water Valley Canal Company," approved January 20th, 1842;

Was taken up and read a second time, and referred to a select committee of Messrs. Simpson, Holloway, McCarty, Millikin, Murphy, Hubbard, and Walpole.

Mr. Robinson made the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of the citizens of the town of Greensburg, have had the same under consideration, and a majority of said committee have directed me to report the following bill:

No. 235. An act to repeal an act, entitled "An act to repeal an act incorporating the town of Greensburg, in Decatur county, Indiana," approved January 20, 1843;

Was read the first time,

And the rules supended, and the bill was read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

On motion,

A call of the Senate was ordered;

And the Sergeant-at-arms despatched for the absentees.

Mr. Hardin, from the committee on enrolled bills, made the following reports:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor, for his approval and signature, bills of the Senate, Nos. 48, 56, 61, 63, 68, 81, 93, and 101.

MR. PRESIDENT:

The committee on enrolled bills have compared bills of the Senate, Nos. 22, 34, 35, 36, 60, and 4, with the originals, and find them correctly enrolled.

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor, for his approval and signature, bills of the Senate, Nos. 22, 34, 35, 36, 4, and 60.

The question being, on the motion by Mr. Barbour, to reconsider the vote taken on the resolution offered by Mr. Cassatt,

Which was pending on the adjournment,

The ayes and noes being demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Osborn, Randall, Read, Stewart, Taber, and Waters—26.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Robinson, Rousseau, Simpson, Verbrike, Walpole, Winchell, and Zenor—24.

The vote was so reconsidered.

Mr. Stewart offered the following amendment to the resolution:

Strike out all after the word "whereas," and insert the following:

There has been introduced into this Senate a joint resolution on the subject of the Mexican war, by the Senator from Franklin, and also a joint resolution on the subject of the Mexican war, by the Senator from Wayne; the first we suppose embracing the views of the democratic party in the State of Indiana, on the Mexican war; the second containing the views of the whig party in the State of Indiana, on the Mexican war. The Senator from Wayne having been appointed an Elector by the Whig State Convention, since he introduced his resolutions into the Senate, and by that act the whig party in the State endorsed the sentiments contained in the resolutions introduced by him into the Senate: Therefore,

Resolved by the Senate, That a debate on these resolutions would be a useless expense of time and money, we therefore declare that there shall be no amendments offered to said resolutions, nor any debate on the same; and that we will take a direct vote on the adoption of the aforesaid resolutions, and thus express our opinions relative to the sentiments contained in each.

On motion by Mr. Barbour,

The resolution and amendment were laid on the table.

ORDERS OF THE DAY.

The question being on seconding the previous question to joint resolution, No. 166,

Which was pending on adjournment yesterday;

On which the ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, and Waters—25.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Winchell, and Zenor—25.

There being a tie vote,
The President decided it in the affirmative;
So the previous question was seconded.
The question being, will the Senate now have the main question put?
The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, Waters—25.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Hubbard Houghton, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rouseau, Verbrike. Walpole, Winchell, Zenor—25.

There being a tie vote,
The President decided that the main question should be now put.
Mr. Orth moved a division of the question.
The President decided that after the Senate had determined to have the main question now put,
A motion to divide the resolution would be tantamount to amending, consequently out of order.
The question being, shall the bill be engrossed for a third reading?
The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Day, Davis, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, Waters—26.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Winchell, Zenor—24.

The joint resolution was ordered to be engrossed for a third reading.
On motion,
The Senate adjourned.

FRIDAY MORNING, JANUARY 29, 1848.

The Senate assembled.

The journal of the preceding day was read.
On motion by Mr. Taber,
The orders of business were suspended, and
No. 228. A bill (of the Senate) to incorporate the Lake Michigan, Logansport and Ohio Railroad Company;
Was read a second time and referred to a select committee of Messrs. Taber, Day, Osborn, Stewart, and Waters.
On motion by Mr. Coats,
The orders further suspended, and
No. 136. A bill (of the Senate) to authorize the establishment of additional branches of the State Bank of Indiana was taken up.
Mr. Read offered the following amendment:
SEC. —. Said directors may also established a branch in the district composed of the counties of Washington, Clark, and Scott, and such counties are hereby made a bank district.
Which amendment was not adopted.
Mr. Barbour offered the following amendment:
"That the directors may at their discretion establish a branch in a district to be composed of Brown, Bartholomew, and Jennings county;"
Which amendmend was not adopted.
Mr. Zenor offered the following amendment:
To insert "Harrison county;"
Which was adopted.

Mr. Green offered the following amendment:

That a branch district shall be composed of the counties of Switzerland, Ohio, and Ripley;

Which was adopted.

Mr. McCarty offered the following amendment:

That the directors may exclude Shelby and include Union in one of the proposed districts.

Mr. Cornett moved to indeffinitely postponed the bill together with the pending amendments.

On motion by Mr. Taber,

A call of the Senate was ordered, and the Sergeant-at-arms despatched for the absent Senators.

The further call was dispensed with.

The question being on the indeffinite postponement of the bill and pending amendments.

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Conner, Cornett, English, Goodnow, Green, Hamrick, Handy, Hardin, Henry, Huffstetter, James, Malott, McCarty, Milligan, Millikin, Morrison, Murphy, Read, Stewart, Verbrike—22.

Those who voted in the negative are,

Messrs. Beard. Cassatt, Chenowith, Coats, Conduit, Day, Davis, Ellis, Holloway, Howel, Houghton, Hubbard, Marsh, Martin, Miller, Montgomery, Murray, Orth, Osborn, Randall, Robinson, Rousseau, Simpson, Taber, Waters, Winchell, Zenor—27.

The bill was not so postponed.

On motion by Mr. Howel,

Mr. McCarty's amendment was laid on the table.

The question then being on the engrossment of the bill,

The yeas and noes were demanded by two Senators

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Coats, Conduit, Day, Davis, Ellis, Holloway, Howel, Houghton, Hubbard, Marsh, Martin, Miller, Montgomery, Murray, Orth, Osborn, Randall, Robinson, Rousseau, Simpson, Taber, Waters, Winchell, Zenor—27.

Those who voted in the negative are,

Messrs. Barbour, Berry, Conner, Cornett, English, Goodnow, Green, Hamrick, Handy, Hardin, Henry, Huffstetter, James, Malott,

McCarty, Milligan, Millikin, Morrison, Murphy, Read, Stewart, Verbrike—22.

The bill was ordered to be engrossed for a third reading on tomorrow.

PETITIONS, MEMORIALS, REMONSTRANCES.

By Mr. Zenor,

The petition of Joseph Cromwell and others, relative to a bridge therein named;

Was referred to the committee on finance.

By Mr. Zenor,

The petition of George Brently, relative to the law requiring the publication of the delinquent list;

Was referred to the judiciary committee.

By Mr. Orth:

The petition of Mr. Fowler and others of Tippecanoe county;

Which was referred to the Tippecanoe committee.

By Mr. Cassatt:

Two petitions for the sale of School section No. 16, in the counties of Huntington and Wabash;

Which,

On motion by Mr. Cassatt,

Was referred to a select committee.

Messrs. Cassatt, Taber, and Waters, were appointed said committee.

Mr. Morrison, chairman of the committee on finance, made the following report;

MR. PRESIDENT:

The committee to whom was referred House bill No. 145, have had the same under consideration, and a majority of the committee have directed me to report it back to the Senate without amendment, and recommend its passage.

Mr. Orth moved to amend, by inserting Tippecanoe county.

Mr. Robinson moved to amend, so as to make the provisions of the bill general.

Mr. Ellis moved to lay the amendment on the table.

The ayes and noes being desired by two Senators,

Those who voted in the affirmative are,

Messrs. Davis, English, Ellis, Green, Handy, Hardin, Henry, Howel, Houghton, Huffstetter, James, Marsh, Millikin, Morrison, Murray, Osborn, Read, Winchell, Zenor—18.

Those who voted in the negative are,

Messrs, Barbour, Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Conner, Cornett, Day, Goodnow, Hamrick, Holloway, Hubbard, Malott, McCarty, Miller, Milligan, Montgomery, Murphy, Orth, Randall, Robinson, Rousseau, Simpson, Stewart, Taber, Verbrike, Waters—30.

The amendments were not so laid on the table.
The question being on making the provision of the bill general,
The ayes and noes being demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Conner, Cornett, Day, Goodnow, Hamrick, Hardin, Henry, Holloway, Hubbard, Malott, McCarty, Milligan, Montgomery, Murphy, Orth, Randall, Robinson, Simpson, Stewart. Verbrike, Waters—28.

Those who voted in the negative are,

Messrs. Davis, English, Green, Handy, Howell, Houghton, Huffstetter, James, Marsh, Miller, Millikin, Morrison, Murray, Osborn, Read, Rousseau, Taber, Winchell, Zenor—20.

The bill was so amended.

On motion by Mr. Beard,
The bill was laid on the table.
On motion,
The Senate adjourned.

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2 o'clock P M.

The Senate assembled.

Leave being granted,
Mr. Waters offered the following resolution :

Whereas, While we believe it to be the right of this Legislature to express their opinions, and instruct their Senators in Congress on subjects of national concernment, and especially upon the subject of the existing war with Mexico, its imperious duty so to do; yet regarding the amount of legislative matter yet to be passed upon,

and the importance of terminating the present session at the earliest day possible ; and believing the opinions of this body, and of each, member, can be fully expressed by a direct vote upon every proposition submitted ; Therefore,

Resolved, That this Senate will take a direct vote upon every proposition of a national character submitted to it, and permit no time to be wasted in the discussion thereof.

On motion by Mr. Zenor,
A call of the Senate was ordered.
The sergeant-et-arms was despatched for the absentees.
The Senators being all present,
Mr. Osborn moved to amend the resolution by striking out the words "A national character."
Mr. Stewart moved the previous question.
The question being, will the Senate second the previous question,
The ayes and noes being called for by two Senators,

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, Waters—25.

Those who voted in the negative are

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murray, Murphy, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Winchell, Zenor—25.

There being a tie vote,
The President decided that the previous question was seconded.
The question being, will the Senate have the main question now put.
Which was so ordered.
The question recurring on the adoption of the resolution,
The ayes and noes being demanded by two Senators,

Those who voted in the affirmativu are.

Messrs. Berry, Coats, Day, English, Green, Hamrick, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, Waters—24.

Those who voted in the negative are,

Messrs. Barbour, Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Holloway, Houghton, Hubbard, Mc-

Carty, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Winchell, Zenor—26.

The resolution was not adopted.

Leave being granted,

Mr. Walpole made the following report from a select committee:

Mr. President:

That the select committee, to whom was referred bill of the Senate No. 189, entitled a bill amendatory to an act entitled an act to incorporate the White Water Valley Canal Company, approved January 20, 1842, have had the same under consideration, and have instructed me to report the same to the Senate, with the following amendment:

Add, at the conclusion of the 1st section, these words: "which bonds shall not be of a less denomination than fifty dollars each; nor shall more than the sum of one hundred thousand dollars be issued, under this act; and bonds once redeemed by the company, shall not be re-issued, or put into circulation.

Which bill, with the amendments, the committee recommend to pass.

Which amendments were concurred in by the Senate, and the bill passed to a third reading.

Mr. Davis moved to reconsider the vote taken on the engrossment of the joint resolution

No. 166. A joint resolution relative to the Mexican war;

Mr. Davis then moved to postpone the further consideration of the motion until Monday next, 2 o'clock P. M.

Mr. Cassatt moved to amend the motion as follows: "Strike out Monday next, and insert Monday, the 14th day of February inst.

Which was decided in the affirmative.

Mr. Miller moved to reconsider the vote taken on the motion to strike out.

Which was decided in the negative.

The question recurring on the motion to postpone,

The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, English, Ellis, Goodnow, Green, Hamrick, Holloway, Howel, Houghton, Hubbard, Martin, Montgomery, Murphy, Murray, Orth, Robinson, Roussean, Simpson, Verbrike, Walpole, Waters, Winchell, and Zenor—28.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, Davis, Handy, Hardin, Henry, Huffstetter, James, Malott, Marsh, McCarty, Miller, Milligan, Millikin, Morrison, Osborn, Randall, Read, Stewart, and Taber—22.

The further consideration of the motion was so postponed.

Mr. Hardin submitted the following reports, from the committee on enrolled bills:

Mr. President:

The committee on enrolled bills, have compared bills of the Senate Nos. 13, 43, 46, and 96, with the originals, and find them correctly enrolled.

Mr. President:

The committee on enrolled bills, have this day presented to the Governor for his approval and signature, bills of the Senate Nos. 13, 43, 46, and 96.

The following message was received from the House of Representatives:

Mr. President:

I am directed by the House of Representatives, to inform the Senate that the Speaker of the House has signed the following bills of the Senate:

No. 96. A joint resolution relative to the Miami Indians;

No. 43. An act for the relief of Elisabeth Jones, of Gibson county, Indiana;

No. 46. An act to amend the act incorporating the Brookville and Cincinnati Turnpike Company;

No. 13. A joint resolution relative to bounty land warrants;

Which I am directed to bring to the Senate for the signature of the President thereof:

Whereupon, the President affixed his signature to said bills.

ORRERS OF THE DAY.

Bills on their third reading—

No. 62. A bill for the benefit of S. E. Waller and George Green;

Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Bills on their second reading.

No. 167. A joint resolution relative to the Mexican war;

Mr. Davis moved to postpone the consideration until Tuesday, the 15th of February inst.

The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Stewart, Taber, Verbrike, Walpole, Waters, Winchell, and Zenor—28.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, and Read—22.

The consideration of the joint resolution was so postponed.

Mr. Stewart moved to reconsider the vote taken on the postponement of the further consideration of the joint resolution until the 14th day of February.

The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Day, Davis, English, Green, Handy, Hardin, Henry, Holloway, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Osborn, Randall, Read, Stewart, Taber, and Winchell—29.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Ellis, Goodnow, Hamrick, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Robinson, Rousseau, Simpson, Verbrike, Waters, and Zenor—21.

The vote was reconsidered.

On motion,

The Senate adjourned.

SATURDAY MORNING, JANUARY 29, 1848.

The Senate assembled.

The journal of the preceding day was read.

On motion by Mr. Conduit,

The previous order of business being suspended,

Mr. Conduit introduced

No. 236. A bill to aid in the settlement of the estate of John Sims;

Which was read the first time.

The rules being suspended, the bill was read a second time, and referred to the judiciary committee.

Mr. Berry presented the account of A. Bird;

Which was referred to the committee on claims.

By Mr. Cassatt,

A petition of J. B. Matlock & Co., for relief;

Which,

On motion by Mr. Cassatt,

Was referred to the committee on claims.

Mr. Orth asked leave of absence for the sergeant-at-arms, to go to Logansport to summon evidence to appear before the judiciary committee, in accordance with a resolution of the Senate, to inquire into the conduct of the trustees of the Wabash and Erie Canal.

Mr. Miller moved to discharge the committee from the further consideration of the subject.

The ayes and noes being demanded by two Senators;

Those who voted in the affirmative are,

Messrs. Beard, Berry, Howel, Martin, McCarty, Miller, Murphy, Read, Zenor—9.

Those who voted in the negative are,

Messrs. Barbour, Cassatt, Chenowith, Coats, Conduit, Cornett, Day, English, Ellis, Goodnow, Green, Hamrick, Handy, Hardin, Henry, Holloway, Houghton, Huffstetter, James, Malott, Marsh, Milligan, Millikin, Montgomery, Morrison, Murray, Orth, Osborn, Randall, Robinson, Rousseau, Simpson, Stewart, Taber, Verbrike, Walpole, Waters, Winchell—38.

The committee were not discharged.

Leave of absence was granted to the sergeant-at-arms.

Mr. Milligan submitted the following report from the committee on roads:

MR. PRESIDENT:

The committee on roads, to whom was referred the petition of sundry citizens of Jay county, on the subject of an additional tax, have had the same under consideration, and directed me to report the following bill and recommend its passage.

No. 237. A bill to authorize the commissioners of Jay county to assess an additional tax.

Was read the first time and ordered to a second reading.

Mr. Berry submitted the following report from the committee on claims:

MR. PRESIDENT:

The committee on claims, to whom was referred the petition of John Stoops, praying relief for damages done him by the location of the White Water Valley Canal, have had that subject under consideration, and are of opinion that under all the circumstances said petitioner is not entitled to the relief, and therefore think it inexpedient to further legislate upon the subject, and ask to be discharged from the further consideration thereof.

Which was concurred in by the Senate.

Mr. Robinson submitted the following report from the committee on claims:

MR. PRESIDENT:

The committee on claims, to whom was referred the petition of Peter Francis, have, according to order, had the same under consideration, and are unanimously of opinion that the prayer of the petitioner ought not to be granted; they have therefore directed me to report the petition back to the Senate and recommend that it be laid on the table, and respectfully ask to be discharged from the further consideration thereof.

Which was concurred in by the Senate.

Mr. Ellis submitted the following report from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred the memorial of Henry O'Reilly, upon the subject of the electro magnetic telegraph, have had the same under consideration according to order, and have directed me to report the following bill, and recommend its passage:

No. 238. A bill to incorporate the Ohio and Mississippi Telegraph Company, and for other purposes;

Which was read the first time, and,

The rules being suspended, the bill was read a second time and referred to the committee on corporations.

Mr. Winchell submitted the following report from a select committee:

MR. PRESIDENT:

A majority of the select committee, to whom was referred bill No. 39, entitled a bill to incorporate the Indianapolis and Muncie Rail Road Company, recommend the Senate to amend the bill by striking out 'scrip' wherever it occurs in the bill, and insert the word 'bonds,' of a denomination not less than twenty dollars, and strike out five dollars wherever it occurs.

Strike out the word 'Muncie' in the 12th line of section 1st, and insert 'Belfountain;'

Also, strike out 'Muncie' in the 4th line in section 13, and insert 'Belfountain;'

Also, after the word 'thence,' in the 14th line in section 16, strike out the word 'by,' and insert the word 'to,' which will then read—to the town of Winchester;

Also, after the word 'county,' in the 15th line of section 16, add, 'from thence.'

Which amendments were concurred in by the Senate.

The bill was ordered to be engrossed for a third reading.

Mr. Hamrick made the following report from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred bill of the Senate No. 152, entitled an act to amend an act to incorporate the Terre Haute and Richmond Railroad Company, approved January 26th, 1847, have had the same under consideration, and have directed me to report the same back to the Senate, with one amendment, and upon the adoption of which to recommend its passage.

Strike out said bill from the enacting clause and insert the following amendment:

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, That the 7th section of the act entitled an act to incorporate the Terre Haute and Richmond Rail Road Company, approved January 26th, 1847, be, and the same is hereby amended, so that said company shall be authorized to proceed to the election of directors, at any time after fifty thousand dollars have been subscribed, and one dollar paid in on each share.

SEC. 2. *Be it further enacted*, That the 12th section of said act be so amended that the directors of said company, shall be authorized to commence operations at any point on said road, and construct,

from time to time, such portions thereof, as, in their judgment, shall be most for the interest of the company and the public good.

SEC. 3. *Be it further enacted*, That said company may, instead of making Greencastle a point, run the said road on any line within half a mile of said town.

SEC. 4. Be it further enacted, that the proviso to the 25th section of said act be so amended that any action in that proviso mentioned, may be commenced at any time within six months after the discovery of any perpetrator or perpetrators of the crimes in said section mentioned.

SEC. 5. Be it further enacted, that the directors shall have power to prescribe the amount of stock that any person or corporation may subscribe or hold by purchase, either in their own name or in the name of any other person or persons.

SEC. 6. Be it further enacted, that the thirty-fifth and thirty-sixth sections of said act be and the same is hereby repealed.

SEC. 7. This act to be in force from and after its passage.

Mr. Verbrike proposed the following amendment to the amendment:

Add at the end of Sec. 12 the following: Provided, however, that should the citizens of Danville, in the county of Hendricks, and vicinity, take or cause to be taken an amount of stock, equal to the additional cost of the construction, (the present subscription included), over and above what it would cost upon a strait line, then and in that case Danville shall be made a point in said road.

Mr. Murphy moved to lay the amendment to the amendment on the table.

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are:

Messrs. Conduit, Cornett, Day, Ellis, Hamrick, Henry, Holloway, Howel, James, Martin, Miller, Milligan, Millikin, Murphy, Read, Rousseau, Stewart, Taber, Waters, Winchell—20.

Those who voted in the negative are:

Messrs. Barbour, Berry, Cassatt, Chenowith, Coats, English, Goodnow, Green, Handy, Hardin, Houghton, Hubbard, Huffstetter, Malott, Marsh, McCarty, Montgomery, Morrison, Murray, Orth, Randall, Robinson, Simpson, Verbrike, Walpole, Zenor—26.

The amendment was not laid on the table.

The question being on the adoption of the amendment to the amendment,

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are:

Messrs. Barbour, Berry, Chenowith, Coats, Davis, English, Goodnow, Green, Hardin, Malott, Marsh, Martin, McCarty, Morrison, Murray, Orth, Osborn, Robinson, Verbrike, Walpole—20.

Those who voted in the negative are:

Messrs. Conduit, Cornett, Ellis, Hamrick, Handy, Henry, Holloway, Howel, Houghton, Hubbard, James, Miller, Milligan, Millikin, Murphy, Randall, Bead, Rousseau, Stewart, Taber, Waters, and Winchell—23.

The amendment was not adopted.

Mr. Zenor was excused from voting.

Mr. Stewart offered the following amendment:

Strike out so much as repeals the 26th section of the original act of incorporation;

Which was laid on the table.

Mr. Walpole proposed the following amendment to the bill:

SEC. —. That at least four of the Directors of said company shall be selected from subscribers residing East of Indianapolis, so soon as the sum of twenty thousand dollars of stock is subscribed by persons or corporations East of said place—and so much of the stock as may be subscribed East of the place aforesaid, shall be laid out and expended under the order and direction of the directors so chosen in the construction of that portion of the road contemplated east of Indianapolis.

Which amendment was adopted.

The amendments, as proposed by the committee, were adopted.

The question being on the passage of the bill,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Cornett, Day, Davis, Ellis, Goodnow, Hamrick, Holloway, Howell, Houghton, Hubbard, Huffstetter, James, Malott, Martin, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Taber, Walpole, Waters, Winchell and Zenor—34.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, English, Green, Handy, Hardin, Henry, Marsh, McCarty, Miller, Milligan, Randall and Stewart—14.

The bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Barbour submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred the petition of the President and Directors of the Hartsville public Library, have had the subject matter thereof under consideration, and have instructed me to report the accompanying bill, in accordance with the prayer of the petition, and respectfully recommend its passage:

No. 239. A bill concerning the distribution of the laws and journals in Bartholomew county;

Which was read the first time and ordered to a second reading.

Mr. Orth submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred the petition of sundry citizens of Tippecanoe county, praying for the corporation of a Bridge Company have instructed me to report the following bill, and respectfully recommend its passage:

No. 240. A bill to incorporate the Tippecanoe Bridge Company.

Which was read the first time, and ordered to a second reading.

Mr. Cassatt submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of sundry citizens of Huntington and Wabash counties, praying for authority to sell a certain school section, have had the subject under consideration, and directed me to report the following bill, and recommend its passage:

No. 241. A bill to authorize the sale of section 16, in township No. 28, north of range 8 east.

Which was read the first time, and ordered to a second reading.

Mr. Milligan submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred Senate bill, No. 42, have had the same under consideration, and directed me to refer it back to the Senate and respectfully request its passage.

No. 241. An act authorizing the sale of section 16, in township No. 28, north of range 8 east;

Which was read, the rules suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Holloway submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred the petitions of sundry citizens of Wayne and Franklin townships, in Wayne county, on the subject of retailing spirituous liquors in said townships, have had the same under consideration, and have directed me to report the following bill, and recommend its passage:

No 242. An act to prevent the sale of spirituous liquors in Wayne and Franklin townships, Wayne county, in less quantities than "ten gallons."

Which was read the first time, and ordered to a second reading.

Mr. Howel offered the following resolution:

WHEREAS, A desire has been manifested by the champions of each of the political parties, in this chamber, to discuss the merits of the Mexican war, and the subject being one of vast importance, and there being much other business of a general and local interest not yet disposed of, for the purpose of hastening the transaction of business in this Senate,

Resolved, That when the Senate adjourns, for the purpose of discussing and settling the Mexican war question, that it will adjourn to meet at half past six o'clock on each evening until the question is disposed of in the Senate.

Mr. Cassatt offered the following amendment,

Strike out the "preamble" and "Mexican war," and insert "legitimate business."

Mr. Millikin moved to lay the resolution and amendment on the table.

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Berry, Cornett, Day, English, Ellis, Hamrick, Handy, Hardin, Henry, Holloway, Houghton, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Randall, Read, Robinson, Rousseau, Simpson, Taber, Walpole, Winchell, and Zenor—36.

Those who voted in the negative are,

Messrs. Cassatt, Chenowith, Coats, Conduit, Davis, Goodnow, Green, Howel, Hubbard, Milligan, Stewart, Verbrike, and Waters —13.

The resolution and amendments were laid on the table.

On motion by Mr. Randall,

Resolved, That when the Senate adjourns it will adjourn until Monday next at nine o'clock, A. M.

The ayes and noes being desired, by two Senators, on the adoption of the resolution,

Those who voted in the affirmative are,

Messrs. Cassatt, English, Handy, Hardin, Martin, Miller, Murray, Osborn, Randall, Rousseau, Taber, and Winchell—12.

Those who voted in the negative are,

Messrs. Barbour, Beard, Berry, Chenowith, Coats, Conduit, Cornett, Day, Davis, Ellis, Goodnow, Green, Hamrick, Henry, Holloway, Howel, Houghton, Hubbard, Huffstetter, James, Malott, Marsh, McCarty, Milligan, Millikin, Montgomery, Morrison, Murphy, Orth, Read, Robinson, Simpson, Stewart, Verbrike, Walpole, Waters, and Zenor—37.

The resolution was not adopted.

On motion by Mr. English,

Resolved, That the committee on the judiciary be respectfully requested to report to the Senate whether, in their opinion, the estate of John Fischlie, late of Jackson county, has escheated to the State or not.

Which was adopted.

Mr. Davis offered the following resolution:

Resolved, That the Senate will not vote or act in any way other than to lay upon the table, during the present session, any proposition or joint resolution in relation to the Mexican war.

Mr. Barbour moved the Senate adjourn.

Which was not agreed to.

Mr. Stewart moved the Senate adjourn.

The ayes and noes being desired by two Senators:

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Cornett, Day, English, Green,

Hardin, Henry, Howel, Houghton, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Morrison, Randall, Read, Stewart, Taber, Waters—25.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Davis, Ellis, Goodnow, Hamrick, Handy, Holloway, Hubbard, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Winchell, Zenor—24.

The Senate adjourned.

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2 o'clock, P. M.

The Senate assembled.

The following message was received from the Governor, by his private Secretary, Mr. James M. Sleeth:

MR. PRESIDENT:

I am directed by his Excellency the Governor to inform the Senate, that he did on this day approve and sign the following bills and joint resolutions:

No. 81. An act in relation to the organization of the Senate and House of Representatives.

No. 68. An act for the relief of the city of Lawrenceburgh.

No. 63. An act to change the name of Lewis Myers to Lewis Myers Douglass.

No. 61. An act to authorize Ira Baily to build an arm to the Knightstown and Shelbyville Railroad.

No. 48. An act to authorize the Clerk of Carroll Circuit Court to sell certain real estate.

No. 96. A joint resolution relative to the Miami Indians.

No. 56. An act for the benefit of the Union Literary Society.

No. 13. A joint resolution relative to bounty land warrants.

No. 46. An act to amend the act incorporating the Brookville and Cincinnati Turnpike Company.

No. 43. An act for the relief of Elizabeth Jones, of Gibson county, Indiana.

No. 35. An act for the relief of Zachariah Collins.

No. 36. An act to repeal "An act to restrict the Grand Jury in Franklin county to a limited time in their sessions," approved January 13th, 1845.

No. 101. An act in relation to the County Records of Lagrange county.

All of which originated in the Senate, January 29th, 1848.

ORDERS OF THE DAY.

Bills on their second reading.

No. 167. A joint resolution relative to the Mexican war.

Mr. Berry submitted the following amendment to the joint resolution:

Amend by striking out from the first resolving clause, and insert as follows:

That it is the solemn and deliberate conviction of this General Assembly, that the existing war with Mexico is both just and honorable on the part of the United States; that it was rightfully and constitutionally begun, and that it ought to be prosecuted with vigor until we obtain an honorable peace, and ample indemnity for the past and security for the future.

Resolved, That we feel it our duty to repel, as a slander on the officers and soldiers composing our gallant army in Mexico, the most of whom have volunteered for the service, any imputation that they are engaged in an unjust and unconstitutional war; and that we look upon such imputation only as an attempt to cover over in shame and obloquy the memory of the brave men who have fallen upon the battle fields of Mexico.

Resolved, That when our country is engaged in a war and bloody conflict with another nation, we should deprecate to see one of the great parties of these United States arraying themselves in opposition to their country's cause; and that public men, and that portion of the public press, denouncing the present war in unmeasured terms—threatening to withhold supplies of men and money for its vigorous prosecution—representing to our enemies in an open manner, that our public servants, although elected by the free and unbought suffrages of the people, are weak and imbecile—that our National Treasury is not only empty, but our resources exhausted, and no more volunteers can be raised for the service, do their country great injustice by not only dishonoring its character, but by prolonging the war in giving encouragement to our enemies and causing more blood to be shed than would otherwise become necessary.

Resolved, That we view the present as the war of all parties, having been recognized by all parties in the commencement, and fought by all parties, and that the prompt manner in which the late Congress, in the first instance, by an almost unanimous vote, appropriated ten millions of money and authorised fifty thousand volunteers for its prosecution, deserves our highest applause, and gave evidence that the nation's honor was safe in their hands, and that

they wisely and properly intend that we should, as has been done, vigorously carry our conquests even into the heart of the enemy's country, until they were willing to conclude an honorable peace.

Mr. Walpole moved to lay the joint resolution and pending amendment on the table.

Mr. Stewart moved the previous question.

The President decided that a motion to lay on the table had precedence, consequently the call for the previous question was not in order.

The question then being on the motion to lay on the table.

The ayes and noes being desired by two Senators;

Those who voted in the affirmative, are,

Messrs. Beard, Cassatt, Chenowith, Conduitt, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Winchell, Zenor—24.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Milligan, Morrison, Randall, Read, Stewart, Taber, Waters—24.

There being a tie vote,

The President decided that the joint resolution and amendment should not be laid on the table.

A division of the question being called for,

The question being on striking out,

The ayes and noes being desired by two Senators;

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Cornett, Day, Davis, English, Ellis, Goodnow, Green, Hamrick, Handy, Hardin, Henry, Houghton, Hubbard, Huffstetter, James, Malott, Martin, Marsh, McCarty, Miller, Milligan, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Randall, Read, Robinson, Rousseau, Stewart, Taber, Waters, Zenor—42.

Those who voted in the negative are,

Messrs. Holloway, Howel, Simpson, Verbrike, Walpole, Winchell—6.

It was so stricken out.

On motion by Mr. Miller,
The vote taken on striking out was reconsidered.
The question recurring on inserting,
Mr. Davis offered the following amendment:

Be it further resolved, That, in the opinion of this General Assembly, it is no less desirable that the interests and honour of our country should be sustained and defended, as long as the present war with Mexico continues to exist, than that the conflict should not be unnecessarily prolonged, but should be terminated as soon as peace, upon terms just and honorable to both nations, can be obtained.

Be it further resolved, That, in the opinion of this General Assembly, the present war with Mexico ought not to be waged with a view to conquest, or the dismemberment of the Republic of Mexico, by the acquisition of any portion of her territory.

Be it further resolved, That if any territory shall be acquired by the United States from the Republic of Mexico, it is the anxious desire of the members composing this General Assembly, and the people represented by it, that said territory shall be free, and that slavery or involuntary servitude shall not exist in it, otherwise than for the punishment of crimes, whereof the party shall be duly convicted.

Be it further resolved, That, in the opinion of this Genaral Assembly, the question whether any territory hereafter to be acquired by the United States, shall be free or slave territory ought to be settled at the time the same is admitted into the Union, and not afterwards.

Be it further resolved, That our Senators in Congress be, and they are hereby instructed, and our Representatives requested to use their best exertions to carry out our wishes and opinions as expressed in the foregoing resolutions.

Be it further resolved, That the Governor of this State be and he is hereby requested to forward to our Senators and Representatives in Congress a copy of the foregoing resolutions.

Mr. Millikin moved that the joint resolution together with the amendment be laid on the table.

The ayes and noes being demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Winchell, Zenor—25.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy,

Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Morrison, Randall, Read, Stewart, Taber, Waters—24.

The joint resolution was laid on the table.
Mr. Stewart moved that the Senate adjourn.
The ayes and noes being demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Barbour, Day, English, Green, Handy, Hardin, Huffstetter, Marsh, Martin, McCarty, Miller, Randall, Read, Rousseau, Stewart, Walpole—16.

Those who voted in the negative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Cornett, Davis, Goodnow, Hamrick, Henry, Holloway, Howell, Houghton, Hubbard, James, Malott, Milligan, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Robinson, Simpson, Taber, Verbrike, Waters, Winchell, Zenor—33.

The Senate did not adjourn.

ORDERS OF THE DAY.

Bills on their second reading.

No. 70. A bill (of the Senate) for the relief of Anthony Schuetz, deceased;
Was read a second time, and passed to a third reading.
No. 71. A bill (of the Senate) to authorize Mathias Peterson to convey water into the city of Lafayette;
Was read a second time and ordered to be engrossed for a third reading.
No. 75. A bill to amend an act to provide for the election of prosecuting attorneys by the people in the several counties;
Mr. Walpole moved to refer the bill to the judiciary committe, with the following instructions:
To amend the bill providing for the repeal of the law requiring the election of county prosecuting attorneys, and reviving the law providing for the election of prosecuting attorneys for the judicial circuit.
Mr, Stewart moved to lay the instructions on the table;
Which did not prevail.
The bill and instructions were referred to the said committee.
Mr. Martin moved the Senate adjourn.
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Coats, Cornett, Day, English, Green, Handy, Hardin, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Randall, Read, Rousseau, Simpson, Stewart, Verbrike, Walpole, Waters, Zenor—23.

Those who voted in the negative are,

Messrs. Barbour, Beard, Berry, Cassatt, Chenowith, Conduit Davis, Ellis, Goodnow, Hamrick, Henry, Holloway, Howel, Houg h ton, Hubbard, Milligan, Millikin, Montgomery, Morrison, Murphy Murray, Orth, Osborn, Robinson, Taber, Winchell—26.

The Senate did not adjourn.

No. 76. A bill for the improvement of highways;

Was read the second time.

On motion by Mr. Miller,

The bill was referred to a committee on roads.

No. 82. A bill to vacate a portion of a certain State road therern named;

Which was read a second time and referred to the committee on roads.

No. 78. A bill to amend the first article, chapter 16, Revised Statutes of 1843, and for other purposes;

Was read a second time and referred to the committee on roads.

No. 83. A bill to change the name of the town of Springfield in Whitney county, to the name of Cherryvalley;

Was read the second time and ordered to be engrossed for a third reading.

No. 84. A bill for the relief of Micheal Hedakin and others;

Was read a second time and ordered to be engrossed for a third reading.

No. 85. A bill for the relief of Joseph Mathers;

Was read a second time and ordered to be engrossed for a third reading.

No. 86. A bill authorizing Peter King to build a mill dam across the Mississinewa river in Wabash county;

Was read a second time and ordered to be engrossed for a third reading.

No. 97. A bill relating to the election of President and Vice President of the United States;

Was read a second time and ordered to be engrossed for a third reading.

No. 99. A joint resolution relative to the admission of cadets into the West Point military academy;

Was read a second time and referred to the committee on federal relations.

No. 102. A bill to amend the 12th chapter of article 11 of the Revised Statutes of 1843;

Which was read a second time.

On motion by Mr. Conduit,

Was referred to the committee on finance.

No. 104. A bill authorizing Thomas Ruble to build a mill dam across the Mississinewa river;

Which was read a second time and ordered to be engrossed.

No. 105. An act to change the name of Ellen Narcissa Brown to Ellen Maria Graham and for other purposes;

Which was read a second time and ordered to a third reading.

Mr. Martin moved the Senate adjourn,

Which was not agreed to.

No. 112. A bill to amend an act entitled "an act to incorporate the Knightstown and Shelbyville Railroad Company."

Mr. Hubbard offered the following amendment:

Sec. —. That in all cases when any porson through whose land the road may run shall refuse to relinquish the right of way for the same, or when a contract between the parties cannot be made, the owner may file his claim for damages in the office of the secretary of the company and select an arbitrator, whereupon the company shall select another, and these two a third, who shall be disinterested men, and within a reasonable time after being sworn, shall proceed to examine the case and make out and file their award in the premises with the said secretary, from which award either party may appeal to the circuit court of the county where the secretary keeps his office, which appeal shall in all things be regulated and tried as appeals are from the judgments of a justice of the peace in the State, said secretary being regarded as such justice in this behalf.

Sec. —. Whenever any real estate is so taken or is damaged, the arbitrator, scou t or jury trying the case, shall estimate any and all advantages said road may be to the real estate of the claimant adjacent or contiguous to that taken or within one mile thereof, deduct such advantage from the damage done, and find for the claimant the balance, if any there be; if there be none, the claimant shall pay costs; if damages be recovered, the company shall pay costs.

Sec. —. Certificates of stock issued persuant to the provisions of this act, may be assigned by the holders by endorsement on the back thereof, but in no case shall the owner of any stock assign and transfer the same without the consent and approbation of the Board of Directors: provided nothing herein contained shall prevent the owners of stock from transfering it at their pleasure, after the same is fully paid out.

Mr. Handy moved to refer the bill and amendment to the committee on corporations;

Which was not ordered.

Mr. Handy moved to lay the bill and amendment on the the table.

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Barbour, Day, Handy, Malott, Marsh, Martin, McCarty, Milligan, Randall, Stewart, Verbrike—11.

Those who voted in the negative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Cornett, Davis, Ellis, English, Goodnow, Green, Hamrick, Henry, Holloway, Howel, Houghton, Hubbard, Huffstetter, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn Read, Robinson, Rousseau, Simpson, Taber, Walpole, Waters, Winchell, Zenor—31.

Which was not so ordered.

The question being on the adoption of the amendment offered by Mr. Hubbard,

The amendment was adopted.

Mr. Walpole offered the following amendment:

The Shelbyville and Greenfield Railroad Company may connect with said road at any eligible point;

Which was adopted.

Mr. Hubbard offered the following amendment:

Sec. —. In case an appeal is taken to the circuit court as herein provided, the company may continue the road, on the company securing or tendering to the persons owning the land, the amount found by the arbitrators.

Which was adopted.

The question being on the engrossment of the bill as amended,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Coats, Conduit, Cornett, Davis, Ellis, Goodnow, Green, Hamrick, Holloway, Howel, Houghton, Hubbard, Martin, Millikin, Montgomery, Murphy, Orth, Osborn, Read, Robinson, Simpson, Taber, Walpole, Waters, Winchell, Zenor—29.

Those who voted in the negative are,

Messrs. Barbour, English, Handy, Henry, Huffstetter Malott, Milligan, Morrison, Randall—9.

The bill was ordered to be engrossed for a third reading.

The following message was received from the House of Representatives by Mr. Ward their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate without amendment:

No. 91. An act to extend the time of collecting the taxes in Dearborn county.

The Senate adjourned.

MONDAY MORNING, January 31, 1848.

The Senate assembled.

The journal of the previous day was read.

Mr. Simpson presented a memorial from George G. Shoup and others, in relation to the White Water valley canal, also the accompanying bill.

No. 243. A bill amendatory to an act entitled, "an act to incorporate the White Water valley canal company," approved January 20, 1842;

Which bill was read the first time, and the rules suspended, and the bill read a second time and referred to the committee on corporations.

Mr. Martin presented the petition of sundry citizens of Lagrange county, relative to the Buffalo and Mississippi rail road; which,

On motion by Mr. Day,

Was referred to a select committee, of Messrs. Martin, Marsh, Day, Osborn, and Murray.

Mr. Taber presented the petition of sundry citizens of the counties of Pulaski, Fulton, and Cass, on the subject of a State road;

Which was referred to a select committee consisting of Messrs. Taber, Waters, and Cassatt.

By Mr. Milligan.

A petition of many citizens of Jay, Blackford and Wabash counties, concerning a rail road through said counties;

Was referred to a select committee consisting of Messrs. Milligan, Cassatt, and Winchell.

By Mr. Milligan.

A petition of sundry citizens of the counties of Jay, Allen, and Adams, relative to a certain road therein named;

Was referred to a select committee of Messrs. Milligan, Marsh, and Martin.

By Mr. Holloway.

A petition on the subject of giving colored persons their proportionate share of the common school fund;

Was referred to the committee on education.

By Mr. Day.

The petition of Mary Ann Etherton for a divorce;

Was referred to a select committe of Messrs. Day, Martin, Milligan and Randall.

Mr. Walpole made the following report from the committee on finance :

Mr. President :

Mr. Walpole from the committe on finance reports back to the Senate, bill No. 244, entitled, "an act prescribing the manner of assessing and paying taxes due upon individual stock in the Madison and Indianapolis rail road company, without amendment and recommends its passage;

Which bill was ordered to be engrossed for a third reading.

Mr. Orth chairman of the committee on the judiciary, made the following reports :

Mr. President:

The committee on the judiciary to whom was referred Senate bill No. 58, entitled "a bill for the punishment of embezzlement, have had the same under consideration, and instructed me to report the same to the Senate, and recommend its indefinite postponement;

Which report was concurred in by the Senate.

Mr. President :

The committee on the judiciary to which was referred the petition of Abram Brower of Dearborn county, have had the same under consideration, and instructed me to report that legislation on the subject of said petition is inexpedient; they therefore ask to be discharged from the further consideration of the subject;

Which was concurred in by the Senate.

Mr. President :

The committee on the judiciary to whom was referred the petition of George Bentley of Harrison county, on the subject of administrator's notices and notices of tax sales, have had the same under consideration, and instructed me to report that it is inexpedient to legislate on the subject, and ask to be discharged from the further consideration of said petition;

Which was concurred in by the Senate.

Mr. Ellis made the following report from the committee on the judiciary:

Mr. President :

The committee on the judiciary who had been instructed to inquire whether the lands granted to this state for the construction of the Wabash and Erie canal &c., lately transferred to the trustees of the Wabash and Erie canal are subject to taxation, have instructed me to report that they do not deem said lands subject to taxation any more than they were before said transfer, as the State is still the *cesti que trust* in said lands; and ask to be discharged from further consideration of the subject;

Concurred in by the Senate.

Mr. Barbour made the following report from the judiciary committee:

Mr. President :

The judiciary committee, to whom was referred the petition of sundry citizens of Bartholomew county, have had the subject under consideration, and have instructed me to report the following bill and recommend its passage :

No. 244. A bill to extend the February term of the probate court for Bartholomew county.

Was read the first time and ordered to a second reading.

Mr. Orth made the following report from the committee on the judiciary:

Mr. President :

The committee on the judiciary to whom was referred bill of the Senate No. 130, entitled "a bill to amend the first section of the first article of the 47th chapter of the Revised Statutes of 1843," have had the same under consideration and instructed me to report it to the Senate and recommend its indefinite postponement.

In which the Senate concurred.

Mr. Orth made the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred Senate bill No. 74, entitled "a bill to amend the ninth article of chapter 30 of Revised Statutes of 1843," have had the same under consideration, and instructed me to report the same to the Senate and recommend its passage.

Which was ordered to be engrossed for a third reading.

Mr. Orth, chairman of the committee on the judiciary, made the following report:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred bill of the Senate No. 145, entitled "a bill to provide for draining swamps and wet lands," have had the same under consideration, and instructed me to report the same to the Senate and respectfully recommend its passage.

Mr. Orth moved to amend so as to make the provisions of the bill general.

On motion by Mr. Handy,

The amendment was laid on the table.

The bill was ordered to be engrossed for a third reading.

Mr. Orth made the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred a resolution of the Senate, and also sundry petitions from citizens of Steuben county, on the subject of the repeal or modification of our present valuation and appraisement laws, have had the same under consideration, and instructed me to report that legislation on that subject, at this time, is inexpedient—that a thorough reform in those laws is not called for by the great mass of community, and in the absence of any such manifestation, your committee do not feel authorized to recommend such alteration or repeal; they, therefore, pray to be discharged from the further consideration of the subject.

Which was concurred in by the Senate.

Mr. Murphy made the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred bill of the Senate No. 236, entitled a bill to aid in the settlement of the estate of John Sims, deceased, have had the same under consideration,

and have directed me to report it back to the Senate and recommend its passage.

Which bill was ordered to be engrossed for a third reading.

Mr. Ellis, from the committee on the judiciary, made the following report:

MR. PRESIDENT:

The committee on the judiciary, to whom had been referred Senate bill No. 123, for the relief of Rudolf Fischli and others, as also the petition of A. Horning and others, citizens of Jackson county, have instructed me to report the same back to the Senate, and asked to be discharged from its further consideration.

Concurred in by the Senate.

On motion by Mr. Davis,

The bill was laid on table.

Mr. Berry made the following report from the committee on roads:

MR. PRESIDENT:

The committee on roads, to whom was referred the petition of Joel Lidney and 265 others, praying for the vacation of a certain State road in the county of Orange, and the remonstrance of Wm. Harris and 436 others, remonstrating against the vacation of said road, have had that subject under consideration, and are unanimously of opinion that it is inexpedient for this legislature to grant the prayer of the petitioners, first, because we find almost double the number of the petitioners, remonstrating against the vacation of said road; secondly, the present general road laws, see chapter 16, article 1, sections 1, 2, 36, 37, 38, and 39, of the Revised Statutes of 1843, makes all necessary provisions for the transaction of such business by the boards doing county business; believing and confiding in that tribunal as the most legitimate, and possessing a full knowledge of all the facts, as to the justice or injustice of the subject under consideration; we, therefore, refer the petition and remonstrance back to the Senate, and ask that they be laid on the table.

Concurred in by the Senate.

Mr. Huffstetter asked leave to draw from the files of the Senate a petition and remonstrance relative to a certain road in Orange county;

Which was granted.

On motion by Mr. Millikin,

No. 145, A bill (of the House) entitled an act for the relief of the tax-payers in certain counties therein named,

Was taken from the table;

When Mr. Millikin offered the following amendment:

Strike out 5th and 6th sections;

Which was adopted.

Mr. Robinson moved to amend as follows:

Strike out all that part of the bill that authorizes a revaluation of property.

On motion by Mr. Marsh,

The amendment of Mr. Robinson was laid on the table.

Mr. Henry moved to amend as follows:

Strike out 1st section.

Mr. Morrison moved to lay the bill on the table;

Was not agreed to.

Mr. Howel moved to amend the amendment by striking out 2d, 3d, and 4th sections.

Mr. Hardin moved to refer the bill and amendments to a select committee;

Not agreed to.

The question being on the adoption of the amendments,

The amendments were adopted.

The bill was read a third time and passed.

Ordered, That the secretary inform the House thereof.

Mr. Millikin moved to amend the title, as follows:

Strike out after the words several counties, the words "therein named," and insert the words "of this State."

Which was adopted.

Mr. Ellis made the following report, from the committee on corporations:

Mr. President:

The committee on corporations, to which had been referred Senate bill No. 238, incorporating the Ohio and Mississippi Telegraph Company, and for other purposes, have instructed me to report the same back to the Senate, and recommend its passage.

Which bill was ordered to be engrossed for a third reading.

Mr. Barbour submitted the following report, from a select committee:

Mr. President:

The select committee, to which was referred the petition of sundry citizens of Bartholomew county, have had the subject matter thereof under consideration, and have instructed me to report the following bill, and recommend its passage:

No. 245. A bill relative to the collection of Taxes in Bartholomew county;

Which was read the first time, and ordered to a second reading.

Mr. Milligan submitted the following report, from a select committee:

Mr. President:

The select committee, to whom was referred a petition praying for a grant of a State road in the counties of Adams, Allen, and Jay, have had the same under consideration, and directed me to report the following bill, and respectfully recommend its passage:

No. 246. A bill to locate a State road in the counties of Adams, Allen, and Jay;

Which was read the first time, and ordered to a second reading.

Mr. Murray submitted the following report, from a select committee:

Mr. President:

The select committee, to whom was referred bill No 220, of the Senate, a bill in relation to the law prohibiting the Indians from selling land in this State, have had the same under consideration, and directed me to report the following bill, with one amendment, and ask the concurrence of the Senate, and recommend its passage:

Add the additional section:

Sec. 7. That in case of the death, removal, or resignation of the said Julian Benoit, agent as aforesaid, the said probate court shall have power to appoint such person or persons, as said court shall deem suitable and proper to execute said office; and upon his filing his bond, approved by said court as aforesaid, he or they shall be authorized to execute the duties of said office, as heretofore provided for in this law.

This act to take effect and be in force from and after its passage.

Which amendment was concurred in by the Senate.

The bill ordered to be engrossed for a third reading.

Mr. Taber submitted the following report, from a select committee:

Mr. President:

The select committee, to whom was referred the bill of the Senate No. 228, entitled a bill to incorporate the Lake Michigan, Logansport, and Ohio river Railroad Company, have had the same under consideration, and direct me to report it back, with the fol-

lowing amendments, and on their adoption, to recommend its passage:

Strike out the name of "Cyrus Taber," in the 1st section.

Strike out the name of "Garland B. Rose," in the 1st section, and insert in its place, "David G. Rose."

After the word "Laporte," in the 5th line of section 1st, insert "Samuel C. Sample, of St. Joseph county."

Amend 3d section by inserting the following between the words "upon" and "and," in the 2d line, "after due notice of the time and place of meeting."

SEC. 15. Said company shall not issue any scrip, or other evidences of debt, to be issued as a circulating medium.

Strike out "15" in the last section, and insert "17."

SEC. 16. The corporation, by their agents, shall have full power from time to time, to examine, work, survey, and locate a route for a Railroad, for a single or double track, commencing at the town of Indianapolis, in Marion county, and running on the best ground for the interest of the company, and the convenience of the public, to the town of Logansport, in Cass county; thence to the town of Rochester, in Marshall county; thence to connect with the Buffalo and Mississippi Railroad, leading to Michigan city, at such point as the directors may select.

Which amendments were concurred in by the Senate.

The bill was read a second time, and ordered to be engrossed.

Mr. Murray submitted the following report from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred a petition of sundry citizens of Adams county, praying for a law to compel the auditor of said county to give certificates to purchasers of land sold for delinquent taxes, have had the same under consideration, and have directed me to report the following bill:

No. 247. A bill enjoining certain duties on the prosecuting attorneys of the 12th judicial circuit.

Which was read the first time, and ordered to a second reading.

Mr. Taber submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of sundry citizens of Cass, Fulton and Pulaski counties, for the location of a State road from Logansport to Winnemac, have had the same under consideration, and have directed me to report the accompanying bill, and respectfully recommend its passage:

No. 248. An act to locate a State road from Logansport, in Cass county, to Winnemac, in Pulaski county.

Which was read the first time, and ordered to a second reading.

On motion,

The resolution offered by Mr. Davis, in relation to discussing joint resolutions relative to the Mexican war:

Was taken up.

Mr. Stewart moved to lay the resolution on the table:

Which was so ordered.

On motion, by Mr. Hardin,

Resolved, That the committee on the judiciary, be instructed to enquire into the propriety of changing the mode of compensating the Prosecuting Attorney of each county, by giving to the county boards power to pay them such sums as they may think proper, and providing that the fees now received by such Attorney shall be paid into the county treasury, so as to remove all inducement (from such attorney) to an undue and too rigorous prosecution of the laws, in order to increase his emoluments, with leave to report, &c.

On motion by Mr. Miller,

Resolved, That the annual message of his Excellency the Governor, communicated to the General Assembly at its present session, be committed to the committee of the whole Senate, and made the order of the day for Tuesday next, at 3 o'clock P. M.

On motion, by Mr. Walpole,

Resolved, That the Governor be requested to inform the Senate the amount of contingent fund appropriated by him within the last fiscal year, the name of the persons to whom the same was appropriated, the amount of each appropriation, and the purposes for which the same was paid out, and that the secretary of this Senate be directed to transmit a copy of this resolution with the request that the same may be responded to at as early a day of the present session as convenient.

On motion, by Mr. Huffstetter,

Resolved, That the State Printer be requested to transmit to the Senate the printed report of the Commissioner on the New Albany and Vincennes Turnpike road, if printed; if not, the cause of its delay.

BILLS INTRODUCED.

By Mr. Hardin,

No 249. An act to prevent vexatious prosecutions;

Which was read the first time and ordered to a second reading.

By Mr. Cassatt,

No. 250. A bill suplemental to an act entitled "an act to fix the time of holding courts in the 8th Judicial Circuit," approved January 13, 1848;

Which was read the first time and ordered to a second reading.

By Mr. Randall,

No. 251. A bill to incorporate the Fort Wayne and Southern Railroad company;

Which was read the first time and ordered to a second reading.

By Mr. Simpson,

No. 252. A bill to incorporate the Harrison Township and Abbington Turnpike company;

Which was read the first time, and ordered to a second reading.

By Mr. Berry,

No. 253. A bill giving the Commissioner of the reserved township, in Monroe county, a compensation for certain services therein named;

Which was read the first time and ordered to a second reading.

By Mr. Handy,

No. 254. An act amendatory to the laws in regard to writs of *ad quod damnum;*

Which was read the first time and ordered to a second reading.

By Mr. Howel,

No. 255. A bill to incorporate the Cannelton Steam Mill and Manufacturing company;

Which was read the first time and ordered to a second reading.

By Mr. James,

No. 256. A bill to incorporate the Mount Vernon and New Harmony Railroad company;

Which was read the first time and ordered to a second reading.

By Mr. Martin,

No. 257. A bill to regulate the practice of law in the Lagrange Circuit Court;

Which was read the first time and ordered to a second reading.

By Mr. McCarty,

No. 258. A bill to amend "an act incorporating the Brookville and Connersville Turnpike company;"

Which was read the first time and ordered to a second reading.

By Mr. Murray,

No. 259. A bill to impose additional duties on the Prosecuting Attorneys in the several counties in the 12th Judicial Circuit, and for other purposes;

Which was read the first time, and ordered to a second reading.

By Mr. Randall,

No. 260. A bill to authorize Thomas Hamilton to build a mill dam across the St. Joseph river;

Which was read the first time and ordered to a second reading.

Mr. Orth gave notice that he would, on to-morrow, move to amend the standing rules of the Senate by adding the following rule:

"That in receiving petitions, memorials, and remonstrances, reports from select committees, resolutions of the Senate, joint resolutions, and bills, the Senators shall be called alphabetically; and such petitions, reports, resolutions, and bills shall be introduced by each Senator in the order in which he shall be called."

Mr. Ellis gave notice, that on to-morrow, he would propose the following amendment to the standing rules of the Senate, viz:

By adding to the standing committees of the Senate, "a committee on manufactures."

By Mr. Robinson,

No. 261. A bill to amend the charter of the Milford and Columbus Railroad Company.

Which was read the first time, and ordered to a second reading.

On motion by Mr. Winchell,

The order of business was suspended, and the following message of the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 152. An act amendatory to an act, entitled "An act giving further time for the settlement of the revenue of Delaware county."

No. 337. An act authorizing Mahala Proffit to discharge the duties of administratrix of her late husband's estate, and act as the guardian of her daughter.

In which the concurrence of the Senate is respectfully requested.

House bill, No. 152,

Was read the first time;

The rules being suspended, the bill was read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

The Senate adjourned.

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2 o'clock, P. M.

The Senate assembled.

Leave being granted,

Mr. Millikin submitted the following report from the committee on corporations:

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the Senate, No. 243, amending an act incorporating the White Water Valley Canal Company, have directed me to report the same back to the Senate with the following amendment, and recommend its passage :

Add the following proviso to the 6th section :

"Provided that such legislation shall in no way affect any right of the State."

Which amendment was concurred in by the Senate.

And said bill was read a second time, the rules suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 337. An act (of the House) authorizing Mahala Proffit to discharge the duties of administratrix of her late husband's estate, and act as the guardian of her daughter.

Which was read the first time ;

The rules suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

The resolution of Mr. Howel, relative to adjourning *sine die*, was taken up.

Mr. Orth moved to strike out Monday, the 7th of February, and insert Thursday, the 10th of February.

Mr. Davis moved to amend by inserting Monday, the 14th of February.

A division of the question being called for,

The question was on striking out ;

Which was agreed to.

The question recurring on filling the blank with Monday, the 14th of February,

The ayes and noes were demanded by two Senators :

Those who voted in the affirmative are,

Messrs. Berry, Chenowith, Conduit, Cornett, Day, Davis, English, Ellis, Green, Hamrick, Holloway, Houghton, Hubbard, James, Malott, Martin, Miller, Milligan, Murray, Robinson, Rousseau, Simpson, Stewart, Taber, and Waters—25.

Those who voted in the negative are,

Messrs. Barbour, Coats, Goodnow, Handy, Hardin, Howel, Huffstetter, Marsh, McCarty, Millikin, Morrison, Murphy, Orth, Read, Walpole, Winchell, and Zenor—17.

The blank was so filled.

Mr. Marsh moved to lay the resolution on the table.

Which was not agreed to.

The question being on the adoption of the resolution as amended,

The resolution was adopted.

BILLS ON THEIR SECOND READING.

No. 208. An act in relation to certain School lands in Floyd county ;

Was read a second time and ordered to be engrossed.

No. 195. A bill to provide for the taxing of estate in dower ;

Was read the second time, and referred to committee on corporations.

No. 140. An act to incorporate the Portland and Ohio Railroad Company ;

Was read a second time, and referred to the committee on corporations.

No. 139. An act for the relief of A. G. Selman ;

Was read a second time, and ordered to be engrossed.

No. 137. An act incorporating the town of Huntington ;

Was read a second time, and ordered to be engrossed.

No. 141. An act authorizing the commissioners of Lagrange county to sell the building erected for the purpose of a County Seminary in said county ;

Was read a second time, and ordered to be engrossed.

No. 143. An act to incorporate the Milton and Waterloo Turnpike Company ;

Was read a second time, and passed to a third reading.

No. 144. A joint resolution relative to the National Road ;

Was read a second time and ordered to be engrossed.

No. 146. A joint resolution relative to a mail route from Salem to Bloomington, Indiana ;

Was read a second time and ordered to be engrossed.

No. 147. A bill to change the name of Granville, in Tippecanoe county ;

Was read a second time and ordered to be engrossed.

No. 148. A bill to vacate a part of a certain State road in Tippecanoe county ;

Was read a second time and ordered to be engrossed.

No. 149. A bill for the relief of the Wabash Fire Company in Lafayette ;

Was read a second time and amended as follows :

Strike out the word "State," and ordered to be engrossed.

No. 150. A bill to incorporate the Tippecanoe Guards, in Tippecanoe county ;

Was read a second time and ordered to be engrossed.

No. 151. A bill to amend "An act to incorporate the city of Jeffersonville," approved January 27, 1847;
Was read a second time and ordered to be engrossed.
No, 153. An act to amend an act entitled, "An act to provide for a free Turnpike in Steuben county;"
Was read a second time and ordered to be engrossed.
No. 154. A bill to incorporate the Huntington, Whitley, and Kosiusko Turnpike Company;
Was read a second time and ordered to be engrossed.
No. 155. A bill to change the time of holding Commissioners' Courts in Jefferson county;
Was read a second time and ordered to be engrossed.
No. 156. A bill to change the time of holding the Franklin Probate courts;
Was read a second time and ordered to be engrossed.
No. 157. A bill to amend the 2d article of the 30th chapter of the Revised Statutes of 1843, concerning the probate of wills and testaments;
Was read a second time and referred to the committee on the judiciary.
No. 158. An act to provide for the summoning of petit jurors in the county of Johnson;
Which was read the second time and ordered to be engrossed.
No. 159. A bill for the relief of Joseph E. Moore;
Which was read a second time and ordered to be engrossed.

Mr. Winchell moved that the vote taken on concurring in the report of the judiciary committee on bill No. 117, be reconsidered.
The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Berry, Cassatt, Chenowith, Conduit, Cornett, English, Goodnow, Green, Handy, Hardin, Holloway, Howel, Houghton, James, Miller, Millikin, Montgomery, Read, Simpson, Stewart, Taber, Verbrike, Walpole, Zenor—24.

Those who voted in the negative are,

Messrs. Barbour, Day, Davis, Ellis, Hamrick, Hubbard, Huffstetter, Malott, Marsh, Martin, McCarty, Milligan, Morrison, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Waters, Winchell—21.

The vote was reconsidered.
The bill ordered to be engrossed.
On motion by Mr. Holloway,
Bill of the Senate No. 3, was taken from the table.
Mr. Holloway offered the following amendment:

Strike out, in 6th line, "Walter Legg," and insert "Francis P. Monfort."
Strike out "on the 17th day of January," and insert "wherever a majority of the directors may agree upon," in the second section.
Ordered to be engrossed for a third reading.

BILLS ON THEIR THIRD READING.

No. 39. An act to incorporate the Indianapolis and Bellfountain Railroad company;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 65. An act to vacate a portion of an addition to the town of Lafayette;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 70. An act for the relief of Anthony Schuets, deceased;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 71. An act to authorize Mathias Peterson to convey water into the city of Lafayette;
Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 83. An act to change the name of the town of Springfield, Whitley county, to the name of Cherry Valley.
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 84. An act for the relief of Michael Hedakin and others;
Which was read the third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 85. A bill for the relief of Joseph Mathers;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 86. An act authorizing Peter King to build a mill dam across the Mississinewa river;
Which was read the third time and passed.
No. 97. A bill relating to the election of President and Vice President of the United States;
Which was read a third time and passed.

Ordered, That the secretary inform the House thereof.

No. 104. An act authorizing Thomas Rueble to build a mill dam across the Mississinewa river;
Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 112. A bill to amend an act entitled "an act to incorporate the Knightstown and Shelbyville rail road company;"
Which was read the third time;
The question being on the passage of the bill;
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Cassatt, Chenowith, Coats, Conduit, Cornett, Day, Davis, Ellis, Goodnow, Green, Hamrick, Holloway, Howel, Houghton, Hubbard, James, Malott, Martin, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Waters, Winchell, Zenor—35.

Those who voted in the negative are,

Messrs. Barbour, Berry, Beard, English, Handy, Henry, Marsh, McCarty, iller, Milligan, Randall, Stewart—11.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

No. 136. An act authorizing the establishment of additional branches of the State Bank of Indiana;
Which was read a third time.
The question being on the passage of the bill;
The ayes and noes were demanded by two Senators.

Those who voted in the affimative are,

Messrs. Beard, Chenowith, Coats, Conduit Day Davis, Ellis, Holloway, Howel, Houghton, Hubbard, James, Marsh, Montgomery, Murray, Orth, Osborn, Randall, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Waters, Zenor—26.

Those who voted in the negative are,

Messrs. Barbour, Berry, Cornett, English, Goodnow, Hamrick, Handy, Hardin, Henry, Huffstetter, Malott, Martin, McCarty, Miller, Millikin, Morrison, Murphy, Read, Stewart—19.

So the bill passed.

Ordered, That the secretary inform the House thereof.

No. 189. An act amendatory to an act entitled, "an act to incorporate the White Water valley canal company," approved January 20, 1842; which,
On motion by Mr. Murphy,
Was laid on the table.
No. 105. An act to change the name of Ellen Narcissa Brown to Ellen Maria Graham, and for other purposes;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

BILLS ON THE SECOND READING.

No. 160. A joint resolution relative to a marsh and wet tract of land in the counties of Jay and Adams;
Was read a second time and ordered to be engrossed.
No. 161. A bill to amend the 14 section of article 1 of Chapter 14 of the Revised Statutes of 1843;
Which was read a second time and ordered to be engrossed.
No. 162. A bill to revive and amend an act entitled "an act to incorporate the Perrysville and Danville rail road company," approved January 26 1836, and an act entitled, "an act to amend an act entitled an act to incorporate the Perrysvile and Danville rail road company," approved February 13, 1840;
Which was read a second time and ordered to be engrossed.
No. 163. A bill to amend an act entitled "act to authorize the superintendent of the Wabash and Erie Canal, to pay such equitable claims as counties and individuals may have for surveying and locating the canal from Tippecanoe to Terre Haute, approved January 25, 1847;
Which was read a second time and ordered to be engrossed.
No. 164. A bill prescribing the duties of petitioners for the incorporation of towns and villages;
Which was read a second time and ordered to be engrossed.
No. 165. An act to incorporate the Laporte and Michigan City Railroad Company;
Which was read a second time and referred to a select committee consisting of Messrs. Osborn, Day, Murray, Marsh, and Martin.
On motion by Mr. Davis,
The report of the commissioners of the Vincennes and New Albany turnpike road, was taken from the table and referred to a select committee, composed of Messrs. Davis, Morrison, Huffstetter, Zenor, Houghton, and Ellis.
No. 166. A bill to incorporate the Union Literary Institute;
Was read a second time and ordered to be engrossed.
No. 167. A bill for securing an effective supervision of the State Prison;
Which was read a second time and referred to the committe on the State Prison;

No. 168. A bill to explain and amend "an act for the relief of the purchasers of saline lands in Orange county," approved January 22d, 1847.;

Was read a second time and ordered to be engrossed.

No. 169. An act authorizing the Commissioners of Lagrange county, to increase the salary of the Probate Judge of said county;

Was read a second time and ordered to be engrossed.

No. 170. An act to regulate proceedings in the actions of waste.

Was read a second time and ordered to be engrossed.

No. 172. A joint resolution on the subject of reducing the price of public lands;

Was read a second time and ordered to be engrossed.

No. 173. A bill authorizing the vacation of towns, streets, and alleys;

Was read a second time and ordered to be engrossed.

No. 174. A bill to revive an act entitled "an act to authorize the location and establishment of a State road from Salem in Washington county by Lawrenceport on White river to Bedford in Lawrence county," approved January 21st, 1847;

Was read a second time and ordered to be engrossed.

No. 175. A bill to incorporate the New Castle and Richmond Railroad Company;

Was read a second time and referred to the committee on corporations.

No. 176. A bill to incorporate the New Castle and Knightstown Railroad Company;

Was read a second time and referred to the committee on corporations.

No. 177. A bill to amend the "act to provide for the continuation of the Madison and Indianapolis Railroad to Lafayette," approved January 19, 1846;

Was read a second time, when

Mr. Orth moved to amend as follows:

Strike out the second section.

Which was adopted.

The bill was referred to the committee on corporations.

No. 178. A bill fixing the corporate limits of the town of Lafayette;

Which was read a second time, and ordered to be engrossed.

No. 179. A bill to authorize the county commissioners of Tippecanoe county to pay for the erection of a bridge across the canal at Green street in Lafayette;

Which was read a second time, and ordered to be engrossed.

No. 180. A bill to amend an act entitled "an act to incorporate the Lafayette Insurance Company," approved February 8, 1836;

Which was read a second time, and referred to the committee on corporations.

No. 181. A bill giving additional powers to the President and Trustees of the town of Lafayette;

Which was read a second time, and ordered to be engrossed.

No. 182. A bill to revive an act entitled "an act to incorporate the Lafayette and Danville Railroad Company," approved February 5, 1836;

Which was read a second time, and referred to the committee on corporations.

No. 183. A bill to amend the law;

Which was read the second time, and referred to the committee on the judiciary.

Mr. Hardin submitted the following report, from the committee on enrolled bills:

MR. PRESIDENT:

The committee on enrolled bills, have this day presented to the Governor, for his approval and signature, bill of the Senate No. 91.

MR. PRESIDENT:

The committee on enrolled bills, have compared bill of the Senate No. 91, with the original, and find it correctly enrolled.

On motion,

The Senate adjourned.

TUESDAY MORNING, FEBRUARY 1, 1848.

The Senate assembled.

A call of the Senate was ordered.

The reading of the journal was dispensed with.

Agreeably to previous notice,

Mr. Orth moved to amend the standing rules of the Senate as follows:

That in receiving petitions, memorials, and remonstrances—reports from select committees—resolutions of the Senate—joint resolutions, and bills, the Senators shall be called alphabetically; and such petitions, reports, resolutions, and bills, shall be introduced by each Senator in the order in which he shall be called.

Which amendment was adopted.

Agreeably to previous notice,
Mr. Ellis moved to amend the standing rules of the Senate as follows:
Add to the standing committees of the Senate:
A committee on manufactures.
The ayes and noes being demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Cornett, Davis, Ellis, Goodnow, Green, Hamrick, Howel, Houghton, Hubbard, James, Malott, Martin, Millikin, Morrison, Murphy, Murray, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Taber, Verbrike, Waters, Winchell, and Zenor—32.

Those who voted in the negative are,

Messrs. Barbour, Day, English, Handy, Hardin, Henry, Huffstetter, Marsh, Milligan, and Randall—10.

The amendment was adopted.
The President announced the following gentlemen as said committee:
Messrs. Ellis, Barbour, Howel, English, Holloway, Day, Murray, Stewart, Taber, Zenor, Hardin, Hamrick, and Simpson.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Green,
The petition of S. Herrick and others, asking for an act incorporating the town of Patriot, Indiana;
Was referred to a select committee, composed of
Messrs. Green, English, and James.
By Mr. Hardin,
The petition of F. M. McMurray and others, asking for an act incorporating the Demosthenian Literary Society of Franklin College;
Was referred to a select committee, composed of
Messrs. Hardin, Orth, and Goodnow.
By Mr. Holloway,
A petition asking protection for sheep;
Was referred to the committee on agriculture.
By Mr. Osborn,
A petition of Joseph Davis and others, citizens of Laporte county, relative to a plank road;
Was referred to the committee on corporations.

REPORTS FROM STANDING COMMITTEES.

By Mr. Chenowith, from committee on roads:

MR. PRESIDENT:

The committee on roads, to which was referred bill of the Senate No. 82, entitled a bill to vacate a portion of a certain State road therein named, have had the same under consideration, and direct me to report it back to the Senate without amendment, and recommend its passage.

Which bill was ordered to be engrossed.
By Mr. Berry, from committe on roads:

MR. PRESIDENT:

The committee on roads, to which was referred bill of the Senate No. 78, entitled a bill to amend the first article, chapter 16, Revised Statutes of 1843, and for other purposes, have had the same under consideration, and direct that said bill be reported back to the Senate with one amendment, and when so amended recommend its passage.
Amend by striking out said bill from the enacting clause, and insert the following bill:

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* That the boards doing county business in the counties of Vanderburg and Posey, shall have full powers to increase the width of any public road or highway in their respective counties as aforesaid to any width not exceeding eighty feet, in all cases wherein they shall deem the same advisable, upon the petition of twenty-four free holders of the vicinity of said road,—notice of such petition and intention to apply to the county board, as aforesaid, shall be given as is now required by law for the location or vacation of roads.
SEC. 2. If any owner of lands over which any highway so widened shall complain to the board doing county business in either of the said counties of Vanderburg or Posey, that he, she, or they are damaged by such widening, the board doing county business shall appoint three disinterested free holders to assess such damages, who shall be governed in all things by the provisions of the 18th and 20th sections of chapter 16, article 1st, of the Revised Statutes of 1843.
SEC. 3. This act to be in force from and after its passage.
When passed, amend the title as follows:
"A bill regulating the width of roads and highways in the counties of Vanderburg and Posey."

Which amendments were adopted by the Senate.

The rules were suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

By Mr. Robinson, from committee on claims:

MR. PRESIDENT:

The committee on claims to whom was referred the claim of A. Bird, have according to order had the same under consideration, and have directed me to report the following bill, and respectfully recommend its passage:

No. 262. A bill for the relief of A. Bird;

Was read the first time and ordered to a second reading.

By Mr. English, from committee on corporations:

MR. PRESIDENT:

The committee on corporations, to whom was referred bill of the Senate No. 176, entitled "a bill to incorporate the New Castle and Knightstown Railroad company," have had the same under consideration, and have directed me to report the same back to the Senate with one amendment, upon the adoption of which, they recommend its passage:

Amend by striking out all that part of section 16 which exempts the stock of said company from taxation, until dividends shall have been declared by the company;

Which amendment was concurred in by the Senate and the bill ordered to be engrossed.

By Mr. Millikin, from committee on corporations:

MR. PRESIDENT:

The committee on corporations to which was referred bill of the Senate No. 175, entitled "a bill to incorporate the New Castle and Richmond Railroad company," have had the same under consideration, and have directed me to report the same back to the Senate and after the adoption of the following, recommend its passage:

Strike out all that part of the 16th section which exempts the stock from taxation until a dividend shall have been declared;

Which amendment was concurred in by the Senate.

Mr. Murphy moved to amend:

"Strike out—Stanford and insert Rob't. Boyd;"

Which was adopted.

The bill ordered to be engrossed.

By Mr. Millikin, from committee on corporations:

MR. PRESIDENT:

The committee on corporations to whom was referred bill of the Senate No. 140, incorporting the Portland and Ohio Railroad company, have directed me to report it back to the Senate and recommend its passage:

The bill ordered to be engrossed.

By Mr. Orth, from committee on corporations:

MR. PRESIDENT:

The committee on corporations, to which was referred Senate bill No. 181, entitled, "A bill giving additional powers to the President and Trustees of the town of Lafayette," have had the same under consideration and instructed me to report said bill to the Senate, and recommend its passage:

The bill was ordered to be engrossed.

By Mr. Orth, from committee on corporations:

MR. PRESIDENT:

The committee on corporations to which was referred Senate bill No. 177, entitled, "A bill to amend the act to provide for the continuation of the Madison and Indianapolis Railroad to Lafayette," approved January 19th, 1846, have had the same under consideration, and instructed me to report the same back to the Senate without amendment, and respectfully recommend its passage.

Mr. Handy moved to amend the bill by striking out the 17th and 18th sections of the bill.

On motion by Mr. Orth,

The amendment was laid on the table.

The bill ordered to be engrossed for a third reading.

Mr. Coats submitted the following report from a select committee.

MR. PRESIDENT:

The select committee to whom was referred a resolution of the Senate directing an inquiry into the expediency of offering a reward for the discovery of the cause of milk sickness, have had the same under consideration, and a majority of said committee have directed me to report that it is inexpedient to legislate thereon, and ask to be discharged:

Which was concurred in by the Senate.

Mr. Hardin submitted the following report from a select committee.

MR. PRESIDENT:

The select committee to which was referred the petition of F. M McMurray and others, asking an act of incorporation of the Demosthenian Literary Society of Franklin College, having had that subject under consideration, report the following bill, and recommend its passage:

No. 263. A bill to incorporate the Demosthenian Literary Society of Franklin College;

Which was read the first time, the rules being suspended, the bill was read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Millikin offered the following resolution:

Resolved, That the names of members moving adjournments shall be entered on the journal, and also the hour at which such adjournment is moved.

Mr. Hardin moved to lay the resolution on the table.
Messrs. Hardin and Marsh called the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barbour, English, Handy, Hardin, Marsh, Martin, Miller, Milligan, Read, Zenor—10.

Those who voted in the negative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Cornett, Day, Davis, Ellis, Hamrick, Henry, Holloway, Howel, Houghton, Hubbard, Huffstetter, James, Millikin, Morrison, Murphy, Murray, Orth, Osborn, Randall, Robinson, Rousseau, Simpson, Taber, Verbrike, Waters, Winchell—32.

The resolution was not laid on the table.
Mr. Barbour offered the following amendment to the resolution:

Also, when any Senator address the Senate, his name and the time occupied in speaking shall be entered on the journal.

The names of Senators calling the ayes and noes shall be entered on the journal.

Mr. Orth moved to to lay the amendment on the table.
Messrs. Orth and Hardin demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Chenowith, Davis, Ellis, Hamrick, Holloway, Milligan, Murphy, Murray, Orth, Robinson, Rousseau, Simpson—12.

By Mr. Chenowith, from committee on roads:

MR. PRESIDENT:

The committee on roads, to which was referred bill of the Senate No. 82, entitled a bill to vacate a portion of a certain State road therein named, have had the same under consideration, and direct me to report it back to the Senate without amendment, and recommend its passage.

Which bill was ordered to be engrossed.
By Mr. Berry, from committe on roads:

MR. PRESIDENT:

The committee on roads, to which was referred bill of the Senate No. 78, entitled a bill to amend the first article, chapter 16, Revised Statutes of 1843, and for other purposes, have had the same under consideration, and direct that said bill be reported back to the Senate with one amendment, and when so amended recommend its passage.

Amend by striking out said bill from the enacting clause, and insert the following bill:

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, That the boards doing county business in the counties of Vanderburg and Posey, shall have full powers to increase the width of any public road or highway in their respective counties as aforesaid to any width not exceeding eighty feet, in all cases wherein they shall deem the same advisable, upon the petition of twenty-four free holders of the vicinity of said road,—notice of such petition and intention to apply to the county board, as aforesaid, shall be given as is now required by law for the location or vacation of roads.

SEC. 2. If any owner of lands over which any highway so widened shall complain to the board doing county business in either of the said counties of Vanderburg or Posey, that he, she, or they are damaged by such widening, the board doing county business shall appoint three disinterested free holders to assess such damages, who shall be governed in all things by the provisions of the 18th and 20th sections of chapter 16, article 1st, of the Revised Statutes of 1843.

SEC. 3. This act to be in force from and after its passage.

When passed, amend the title as follows:

"A bill regulating the width of roads and highways in the counties of Vanderburg and Posey."

Which amendments were adopted by the Senate.

The rules were suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

By Mr. Robinson, from committee on claims:

MR. PRESIDENT:

The committee on claims to whom was referred the claim of A. Bird, have according to order had the same under consideration, and have directed me to report the following bill, and respectfully recommend its passage:

No. 262. A bill for the relief of A. Bird;

Was read the first time and ordered to a second reading.

By Mr. English, from committee on corporations:

MR. PRESIDENT:

The committee on corporations, to whom was referred bill of the Senate No. 176, entitled "a bill to incorporate the New Castle and Knightstown Railroad company," have had the same under consideration, and have directed me to report the same back to the Senate with one amendment, upon the adoption of which, they recommend its passage:

Amend by striking out all that part of section 16 which exempts the stock of said company from taxation, until dividends shall have been declared by the company;

Which amendment was concurred in by the Senate and the bill ordered to be engrossed.

By Mr. Millikin, from committee on corporations:

MR. PRESIDENT:

The committee on corporations to which was referred bill of the Senate No. 175, entitled "a bill to incorporate the New Castle and Richmond Railroad company," have had the same under consideration, and have directed me to report the same back to the Senate and after the adoption of the following, recommend its passage:

Strike out all that part of the 16th section which exempts the stock from taxation until a dividend shall have been declared;

Which amendment was concurred in by the Senate.

Mr. Murphy moved to amend:

"Strike out—Stanford and insert Rob't. Boyd;"

Which was adopted.

The bill ordered to be engrossed.

By Mr. Millikin, from committee on corporations:

No. 75. An act relating to road tax in Perry county;

Which was read a second time, and ordered to a third reading.

No. 76. An act to amend an act entitled an act to authorize the people of Fayette, and other counties therein named, to elect their seminary trustees;

Which was read a second time, and,

On motion by Mr. Cornett,

Was referred to the committee on education.

No. 83. An act for the relief of James Hardin, of Warrick county;

Which was read a second time, and ordered to a third reading.

No. 96. A bill for the relief of Willis A. Miller;

Which was read a second time.

Mr. Houghton moved to amend the bill, by striking out Dubois, and inserting Green county, in the same judicial circuit.

On motion by Mr. Houghton,

The rules were suspended, and the bill read a third time.

Mr. Rousseau moved to amend the title of the bill, by striking out Dubois, and inserting Green; by striking out 4th, and inserting same circuit.

Mr. Read addressed the Senate two minutes, in reference to amending the bill.

Mr. Rousseau addressed the Senate two minutes.

Mr. Houghton addressed the Senate two minutes.

Mr. Miller addressed the Senate one and one-half minutes.

The question being on the passage of the bill, as amended,

The bill passed.

Ordered, That the Secretary inform the House thereof.

It being ten minutes past twelve o'clock,

On motion by Mr. Milligan,

The Senate adjourned.

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2 o'clock, P. M.

The Senate assembled.

The President laid before the Senate a communication from His Excellency, the Governor, relative to the claim of T. B. Kinder:

To the Senate:

The following resolution of the Senate was received by me, on my recent return from a necessary absence:

"*Resolved*, That the Governor be requested to inform the Senate what compensation, if any, has ever been paid by him to T. B. Kinder, for services rendered as private Secretary to the Governor; also, under what law Mr. Kinder was appointed to perform the duties so rendered by him."

The office of Private Secretary to the Governor, was not, it seems, *legally* established, until by the passage of the act creating that office, which is published in the acts of 1838–9, and which authorized it to be filled by the Governor by yearly appointment. I have always understood, and indeed I am informed by a predecessor, (whose permission I have thus to refer to him,) that the Private Secretary, as appointed under that act, was liable to perform, and did perform, the duties of a clerk to the Executive in writing, copying, &c., between, as well as during the sessions of the Legislature; that is to say, throughout the year. Hence the act referred to, gave the Private Secretary an annual salary, payable *quarterly;* and the statute of 1843 continued him in office, (not during a session merely, as formerly, in the case of executive messengers,) but for one year, if he should *so long* behave well. Under the act, too, the Private Secretary was a *commissioned officer*, (as it seems by reference to the appointment records,) and took an *oath of office*. The creating of this office in 1838–9, was doubtless occasioned by an increase of executive business, arising from the growth of our population, increase of legislation, &c., &c. But an executive messenger—that is to say, a person to bear messages from the Governor to each branch of the General Assembly, to inform them officially of his approval of bills, and to bear communications in reply to calls, or for legislative consideration or action, is a necessary incident to the relation existing between the executive and legislative departments of the Government, whenever the latter is in session. Hence we have journal evidence of the employment of such a messenger, beginning with the first session of the State Legislature, although there was no statute, it is believed, expressly authorizing such employment. I am not advised, indeed, that there has ever been such a statute in this State, although such a messenger has doubtless been employed, as a matter of necessity, at every session of the State Legislature.

On the 14th of December, 1843, "an act to reduce the salaries of Governor of State, and other officers," was approved, in which, besides reducing the salaries of various officers, it is provided by the 13th section, as follows: "That no salary or *compensation* shall hereafter be allowed to the Private Secretary to the Governor, out of the State Treasury."

As the object of that act was a praise-worthy economy, rendered the more necessary by the State's embarrassment at that time, I determined to perform myself the duties which had previously devolved on a Private Secretary. This has certainly increased my labor considerably, but it has been my wish, as far as practicable, to aid the State in her adversity; and especially, as the saving there-

Was referred to the committee on federal relations.

No. 31. A bill relating to probate judges in the county of Porter;

Which was read a second time, and,

On motion by Mr. Orth,

Was referred to the judiciary committee.

No. 24,

Was read a second time, and,

On motion by Mr. Orth,

Was referred to the judiciary committee.

No. 36. An act to authorize the board doing county business in Orange county to dispense with a road tax;

Which was read a second time, and,

On motion by Mr. Orth,

Was referred to the committee on roads.

No. 37. A bill to incorporate the Connersville Hotel Company;

Which was read a second time, and,

On motion by Mr. Orth,

Was referred to the committee on corporations.

No. 40. An act to encourage the growth of cranberries in the county of Allen, and for the protection of cranberry marshes;

Which was read a second time, and,

On motion by Mr. Randall,

Was referred to a select committee of Messrs. Randall, Milligan, Martin, Day, and Marsh.

No. 42. An act to provide for the selection of petit jurors in the county of Warren;

Mr. Hamrick moved to lay the bill on the table.

Which was not agreed to.

The bill was read a second time, and ordered to a third reading.

No. 43. A bill for the relief of Dorothy Owens and others;

Mr. Ellis moved to refer the bill to the judiciary committee.

Mr. Ellis addressed the Senate three minutes in support of his motion.

Mr. Rousseau addressed the Senate one minute in reference to referring the bill.

The bill was read a second time, and referred to the judiciary committee.

No. 45. An act to extend the jurisdiction of justices of the peace in the counties of Lake and Porter;

Which was read a second time, and ordered to a third reading.

No. 46. An act to fix the time of holding probate courts in the county of Putnam;

Which was read a second time, and ordered to a third reading.

No. 47. An act to provide for electing supervisors by districts, in the counties of Miami and Montgomery;

Which was read a second time, and ordered to a third reading.

No. 53. An act to locate a State road therein named;

Which was read a second time, and,

On motion by Mr. Hubbard,

Was referred to the committee on roads.

On motion by Mr. Hubbard,

A remonstrance in relation to the same subject was taken up, and referred to the same committee.

No. 55. An act for the relief of Collins Adams, of St. Joseph county;

Which was read a second time.

Mr. Day moved to refer the bill to a select committee.

It was not so referred.

On motion by Mr. Millikin,

The bill was referred to the committee on claims.

No. 57. An act to incorporate the Brownstown and Scipio Railroad Company;

Which was read a second time, and,

On motion by Mr. Orth,

Was referred to the committee on corporations.

No. 59. An act to authorize the trustees of School district No. 1, town. 37 north, of range 5 east, in Elkhart county, to raise an additional tax;

Which was read a second time, and ordered to a third reading.

No. 61. An act authorizing the trustees of School district, No. 5, in township 37 north, of range 3 east, in St. Joseph county, to levy a tax to finish a school-house in said district;

Which was read a second time, and ordered to a third reading.

No. 62. An act to incorporate the Botanic Medical Society in Decatur county;

Which was read a second time, and ordered to a third reading.

No. 64. A bill to incorporate the Laporte Female Seminary;

Which was read a second time, and ordered to a third reading.

No. 66. A bill to abolish the office of school commissioner of Floyd county, and for other purposes;

Which was read a second time;

On motion by Mr. Davis,

Was referred to a select committee of Messrs. Davis, Read, and Zenor.

No. 86. A bill (of the House) entitled an act leaving it discretionary with the board of commissioners of Delaware county, what compensation they shall allow supervisors for making their returns;

Which was read a second time.

Mr. Orth moved to refer the bill to the judiciary committee.

Not so referred.

On motion by Mr. Winchell,

The bill was referred to a select committee.

Messrs. Winchell, English, and Rousseau were appointed said committee.

No. 71. A bill (of the House) entitled an act to amend the 22d section of an act of the Revised Statutes, entitled "an act for the relief of the poor;"

Which was read a second time, and ordered to a third reading.

No. 75. An act relating to road tax in Perry county;

Which was read a second time, and ordered to a third reading.

No. 76. An act to amend an act entitled an act to authorize the people of Fayette, and other counties therein named, to elect their seminary trustees;

Which was read a second time, and,

On motion by Mr. Cornett,

Was referred to the committee on education.

No. 83. An act for the relief of James Hardin, of Warrick county;

Which was read a second time, and ordered to a third reading.

No. 96. A bill for the relief of Willis A. Miller;

Which was read a second time.

Mr. Houghton moved to amend the bill, by striking out Dubois, and inserting Green county, in the same judicial circuit.

On motion by Mr. Houghton,

The rules were suspended, and the bill read a third time.

Mr. Rousseau moved to amend the title of the bill, by striking out Dubois, and inserting Green; by striking out 4th, and inserting same circuit.

Mr. Read addressed the Senate two minutes, in reference to amending the bill.

Mr. Rousseau addressed the Senate two minutes.

Mr. Houghton addressed the Senate two minutes.

Mr. Miller addressed the Senate one and one-half minutes.

The question being on the passage of the bill, as amended,

The bill passed.

Ordered, That the Secretary inform the House thereof.

It being ten minutes past twelve o'clock,

On motion by Mr. Milligan,

The Senate adjourned.

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2 *o'clock*, *P. M.*

The Senate assembled.

The President laid before the Senate a communication from His Excellency, the Governor, relative to the claim of T. B. Kinder:

To the Senate:

The following resolution of the Senate was received by me, on my recent return from a necessary absence:

"*Resolved*, That the Governor be requested to inform the Senate what compensation, if any, has ever been paid by him to T. B. Kinder, for services rendered as private Secretary to the Governor; also, under what law Mr. Kinder was appointed to perform the duties so rendered by him."

The office of Private Secretary to the Governor, was not, it seems, *legally* established, until by the passage of the act creating that office, which is published in the acts of 1838–9, and which authorized it to be filled by the Governor by yearly appointment. I have always understood, and indeed I am informed by a predecessor, (whose permission I have thus to refer to him,) that the Private Secretary, as appointed under that act, was liable to perform, and did perform, the duties of a clerk to the Executive in writing, copying, &c., between, as well as during the sessions of the Legislature; that is to say, throughout the year. Hence the act referred to, gave the Private Secretary an annual salary, payable *quarterly;* and the statute of 1843 continued him in office, (not during a session merely, as formerly, in the case of executive messengers,) but for one year, if he should *so long* behave well. Under the act, too, the Private Secretary was a *commissioned officer*, (as it seems by reference to the appointment records,) and took an *oath of office*. The creating of this office in 1838–9, was doubtless occasioned by an increase of executive business, arising from the growth of our population, increase of legislation, &c., &c. But an executive messenger—that is to say, a person to bear messages from the Governor to each branch of the General Assembly, to inform them officially of his approval of bills, and to bear communications in reply to calls, or for legislative consideration or action, is a necessary incident to the relation existing between the executive and legislative departments of the Government, whenever the latter is in session. Hence we have journal evidence of the employment of such a messenger, beginning with the first session of the State Legislature, although there was no statute, it is believed, expressly authorizing such employment. I am not advised, indeed, that there has ever been such a statute in this State, although such a messenger has doubtless been employed, as a matter of necessity, at every session of the State Legislature.

On the 14th of December, 1843, "an act to reduce the salaries of Governor of State, and other officers," was approved, in which, besides reducing the salaries of various officers, it is provided by the 13th section, as follows: "That no salary or *compensation* shall hereafter be allowed to the Private Secretary to the Governor, out of the State Treasury."

As the object of that act was a praise-worthy economy, rendered the more necessary by the State's embarrassment at that time, I determined to perform myself the duties which had previously devolved on a Private Secretary. This has certainly increased my labor considerably, but it has been my wish, as far as practicable, to aid the State in her adversity; and especially, as the saving thereby occasioned to the treasury, would rest upon the Governor, and thus have all the good effect, so far as the treasury is concerned, of a reduction of his salary also. Two days after the repeal of the compensation allowed to the Private Secretary, T. B. Kinder, Esq., was first by me designated to each branch of the General Assembly, *to bear executive messages* to them respectively, as will appear by reference to the journals. But since I have been in my present office, neither he nor any other person has ever been commissioned, or taken an oath as Private Secretary, under the statute, although the compensation only, and not the office was abrogated. He was only authorized and required to bear messages to the *Legislature;* but as former Private Secretaries under the Statute had also been appointed to bear messages, and as executive messengers had sometimes been *called* Private Secretaries, no salary or compensation was ever paid to him from the treasury, for such his services. That no such payment would be made to him from the treasury, he was fully informed while he was an anxious applicant for the place, and before he entered upon its duties; and he expressed his entire willingness, and indeed his strong wish, to perform its duties upon those terms. It is believed this communication might here stop; for I cannot suppose it was intended to inquire what was the agreement or understanding between Mr. Kinder and myself, (not as an officer, but merely as an individual,) in relation to the services of the former as executive messenger. I see no objection, however, that all this should be known, and I have freely mentioned it, whenever questioned. But to admit the *right* of making such inquiry, in a formal legislative resolution, by answering it, would set an example which, if generally followed, could scarcely avoid leading to any other than good or useful results. It is easy to imagine the abuses into which such a course might terminate, if generally acted on. I repeat, therefore, that I cannot suppose the Senate so intended. I am gratified, however, that the occasion is offered to me, of saying that the terms on which Mr. Kinder was authorized by me to act as an executive messenger, as before stated, and the considerations and inducements which led him to accept the situation, and to perform its duties, were fully made known to him before it was conferred upon him — that so far from being dissatisfied with those terms and inducements, he was, with a full knowledge of them, an earnest applicant for the place, and was selected for it, much to his expressed gratification, from among several other applicants; that he never intimated to the undersigned at any time, (although necessarily in habits of familiar intercourse,) any dissatisfaction with those terms; but, on the contrary, when the undersigned had intimated an intention to appoint another to the same situation at the following session, Mr. Kinder anxiously requested, and again obtained it, and upon the same terms; and finally, that Mr. Kinder realized all the advantages and inducements, that led him to apply for, and receive, (and perform the duties and services of,) the two several appointments, above mentioned.

From the above it will appear—1st, that Mr. Kinder was only designated as an executive messenger, under ancient usage—2d, that no compensation was ever paid to him from the treasury, for his services as such—and 3d, that he was fully satisfied for those services, according to the terms and inducements, under which he undertook their performance.

This, my clear recollection of the circumstances under which Mr. Kinder acted as an executive messenger, is corroborated by the recollections of several other gentlemen, now in this place, which they derived from conversations with Mr. Kinder himself.

I desire to say in conclusion, that the act reducing the salaries of certain officers, took effect upon that of the Governor, at the commencement of my second term, (which was as soon as it could take effect under the constitution,) and consequently, the compensation of the Governor is now virtually subject to a double reduction, under the operation of that Statute, viz: first, by directly diminishing the amount of his salary in common with other officers, and next, by depriving him of the assistance of a private Secretary, and thus giving him the labor of another office, without its compensation.

JAMES WHITCOMB.

January 31*st*, 1848.

Which message was laid on the table.

No. 196. A bill for the relief of J. & E. L. Beard;

Was read a second time.

Mr. Orth addressed the Senate in favor of the bill four minutes.

Mr. Read addressed the Senate in opposition to the bill for the space of three minutes.

Mr. Orth again addressed the Senate in favor of the bill for the space of two minutes.

Mr. Randall addressed the Senate in opposition to the bill for the space of five minutes.

Mr. Orth again addressed the Senate for the space of five minutes.

Mr. Robinson addressed the Senate in favor of the bill for the space of ten minutes.

Mr. Stewart addressed the Senate in support of the bill for the space of five minutes.

Mr. Millikin addressed the Senate in opposition to the bill for the space of five minutes.

Mr. Stewart again addressed the Senate in support of the bill for the space of five minutes.

Mr. Robinson again addressed the Senate in support of the bill for the space of two minutes.

Mr. Stewart again addressed the Senate for the space of one minute.

Mr. McCarty addressed the Senate in opposition to the bill for the space of two minutes.

Mr. Henry addressed the Senate in opposition to the bill for the space of five minutes.

Mr. Winchell addressed the Senate in support of the bill for the space of two minutes.

Mr. Murray addressed the Senate in support of the bill for the space of one minute.

The question being, "shall the bill be engrossed?"

The ayes and noes were demanded by Senators Read and Millikin:

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Cassatt, Chenowith, Coats, Conduit, Day, Davis, Ellis, Goodnow, Hamrick, Holloway, Howel, Houghton, Hubbard, James, Marsh, Martin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Stewart, Waters, and Winchell—29.

Those who voted in the negative are,

Messrs. Berry, English, Green, Handy, Hardin, Henry, Hufstetter, Malott, McCarty, Milligan, Millikin, Morrison, Read, Taber, Verbrike, and Zenor—16.

So the bill was ordered to be engrossed.

Mr. Cornett excused from voting.

The hour of three o'clock having arrived, the Senate, according to previous order, resolved itself into committee of the whole, on the annual message of His Excellency, the Governor, Mr. Read in the chair; and after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and the chairman reported, that the committee had, according to order, had under consideration the said message, and had adopted the following resolutions, in which he was directed to ask the concurrence of the Senate:

Resolved, That so much of the Governor's message as refers to the Adjutant General and Quarter Master General, be referred to the committee on claims; and that said committee be instructed to inquire whether the Secretary of State is not entitled to additional compensation, for extra services in filling up commissions to the order of the Adjutant General, and to report to the Senate.

Resolved, That so much of the Governor's message as relates to schools, and the school laws, be referred to the committee on education.

Resolved, That so much of the Governor's message as relates to the Lunatic Asylum, Blind Asylum, and Deaf and Dumb Asylum, be referred to the committee on the benevolent institutions of the State.

Resolved, That so much of the Governor's Message as relates to the Mexican war be referred to the committee on federal relations.

Resolved, That so much of the Message of his Excellency as refers to the improvement of the harbors and rivers of the west, be referred to the committee on federal affairs.

Which were concurred in generally, and the committee discharged from the further consideration of said Message.

The following messages were received from the House of Representatives by Mr. Ward, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following bills thereof :

No. 337. An act authorizing Mahala Proffit to discharge the duties of administratrix of her late husband and act as guardian of her daughter.

No. 152. An act amendatory to an act entitled, "An act giving further time for the settlement of the revenue of Delaware county."

Which I am directed to bring to the Senate for the signature of the President thereof.

Thereupon the President affixed his signature to said enrolled bills.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate without amendment :

No. 243. An act amendatory to an act entitled "An act to incorporate the White Water Valley Canal company;" approved, Jan. 20, 1842.

The President laid before the Senate a communication from his excellency the Governor, in relation to the claim of James C. Rush, Esq.

On motion by Mr. Ellis,

Referred to committee on claims.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the Speaker has signed the following enrolled bill of the House :

No. 105. An act to change the name of Ellen Narcissa Brown to that of Ellen Maria Graham, and for other purposes.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bill.

BILLS ON THEIR THIRD READING.

No. 74. A bill to amend article nine, chapter 30, of the Revised Laws of 1843 ;

Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 117. An act to repeal all laws requiring certain process and other instruments of writing to be sealed with a seal of wax, wafer, or ink scrawl.

Which was read a third time and passed.

Mr. Millikin moved to reconsider the vote taken on the passage of the bill ;

When Mr. Barbour addressed the Senate three minutes, in favor of reconsidering the vote.

Mr. Osborn addressed the Senate ten minutes, in favor of reconsidering the vote.

Mr. English addressed the Senate four minutes, against reconsidering the vote.

Mr. Henry addressed the Senate eight minutes, in favor of reconsidering the vote.

Mr. Davis addressed the Senate five minutes, in favor of reconsidering the vote.

Mr. English addressed the Senate fifteen minutes, against reconsidering the vote.

Mr. Davis addressed the Senate ten minutes, in favor of reconsidering the vote.

Mr. Read addressed the Senate fifteen minutes, against reconsidering the vote.

Mr. Winchell addressed the Senate twenty minutes, against reconsidering the vote.

Mr. Osborn addressed the Senate twenty-five minutes, in favor of reconsidering the vote.

Mr. Read addressed the Senate twelve minutes, against reconsidering the vote.

Mr. Winchell addressed the Senate eleven minutes, against reconsidering the vote.

Mr. English addressed the Senate one minute, against reconsidering the vote.

Mr. McCarty addressed the Senate five minutes, in favor of reconsidering the vote.

The question being on reconsidering the vote,

Senators Hardin and Howel demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Conduit, Davis, Ellis, Hamrick, Henry, Houghton, Hubbard, McCarty, Millikin, Murphy, Murray, Orth, Osborn, Randall, Robinson, Rousseau, Taber, Verbrike, Zenor—21.

Those who voted in the negative are,

Messrs. Berry, Cassatt, Chenowith, Coats, Cornett, Day, English, Goodnow, Green, Handy, Hardin, Holloway, Howel, Huffstetter, James, Marsh, Miller, Milligan, Morrison, Read, Simpson, Stewart, Waters, Winchell—24.

The vote was not reconsidered.

Mr. Hardin submitted the following report from the committee on enrolled bills:

Mr. President:

The committee on enrolled bills have this day presented to his Excellency the Governor, for his approval and signature, bill of the Senate No. 243;

Mr. President:

The committe on enrolled bills, have compared bill of the Senate No. 243, with the original and find it correctly enrolled.

No. 137. An act incorporating the town of Huntington;
Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 139. An act for the relief of A. G. Selman;
Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 140. An act to incorporate the Portland and Ohio rail road company:
Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 141. An act regulating the granting of license to retail spirituous liquors, in the counties of Gibson and Posey;
Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 142. An act authorizing the commissioners of La Grange

county, to sell the building erected for the purpose of a county seminary in said county;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 142. An act to incorporate the Milton and Waterloo turnpike company;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 144. A joint resolution relative to the national road;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 146. A joint resolution relative to a mail route from Salem to Bloomington;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 145. An act to provide for draining swamps and wet lands in Cass, Pulaski, and Fulton counties;

Mr. Taber offered the following amendment:
Add at the end of the 4th section, the taxes to be levied and collected by the provisions of this act, shall not exceed the amount of road tax assessed in any one year, on such persons and property;

Which was adoped.
The bill was read a third time and passed as amended.

Ordered, That the Secretary inform the House thereof.

It being quarter past five o'clock,
On motion by Mr. Holloway,

The Senate adjourned.

WEDNESDAY MORNING, February 2, 1848.

The Senate assembled.

The journal of the preceding day was read.

On motion by Mr. Berry,

The vote taken on the adoption of the resolution offered by Mr. Millikin on yesterday, was reconsidered;

On motion by Mr. Handy,

The resolution was laid on the table.

Mr. Montgomery moved to strike from the journal of yesterday, so much of the proceedings, as was recorded by direction of the resolution offered by Mr. Millikin;

Mr. Conner moved to lay the motion on the table;

Messrs. Montgomery and Morrison demanding the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Chenowith, Conduit, Conner, Day, Davis, Ellis, Handy, Howel, Houghton, Marsh, Martin, Millikin, Murphy, Orth, Osborn, Randall, Read, Robinson, Taber, Verbrike, Winchell, Zenor—25.

Those who voted in the negative are,

Messrs. Beard, Coats, Cornett, English, Goodnow, Green, Hamrick, Hardin, Holloway, Huffstetter, James, Malott, McCarty Montgomery, Morrison, Murray, Rousseau, Simpson, Stewart, Waters, —20

The motion was laid on the table.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Martin.

A petition of sundry citizens of Noble and La Grange counties, relative to the road laws; which,

On motion by Mr. Martin,

Was referred to a select committee;

Messrs. Martin, Randall, Day, and Marsh, were appointed said committee.

By Mr. Stewart,

A petition of the citizens of Indianapolis, together with the minutes from the records of the city of Indianapolis; which,

On motion by Mr. Stewart,

Was referred to the committe on the affairs of the town of Indianapolis.

On motion by Mr. Robinson,

The following Veto Message's of the Governor were ordered to be placed upon the journals:

To the Senate of Indiana:

Gentlemen—The accompanying bill, entitled "An act providing for the publication of certain laws therein named," was passed at the last session of the General Assembly, but not having been presented to me until within the last four days before the final adjournment, the same was held over as authorized by the constitution, and is now returned to the Senate in which it originated, with the objections which have induced me to withhold my approval of it in its present form as a law of the State.

The bill provides that the Secretary, Auditor, and Treasurer of State shall subscribe for five hundred copies of a work in preparation for publication, to be entitled "A compilation of the laws which were in force prior to the year 1843, in the State of Indiana, and under the Territorial Government, relating to real property; embracing the various Statutes on the subject of conveyances, wills, and executions; also, the Probate and Practice acts, and all other Statutes regulating the powers and duties of courts of law and chancery; and also the Treaties, Resolutions and ordinances of the General Government relating to the public lands within the State of Indiana, with notes and references to the decisions of the Supreme Courts of the United State and of this State, on questions on the laws, &c., embraced in such compilation." It is further provided that the price of the work shall be settled by the said three State officers with the publisher, and not to exceed its fair cash value, and when so agreed on shall be paid out of the State Treasury on the Auditor's warrant. The residue of the bill is devoted to the distribution of the copies thus procured by the State, as to which I will merely observe, that requiring one copy to be sent to each State and Territory of the United States would accord with usage and answer every rational purpose as well as double the number as provided for in the bill.

The objection taken to the bill is not as to the public object apparently contemplated by it, but to the plan of the work as limited and proscribed in the title itself. Such a plan it is conceived will not adequately supply a much felt and increasing want. Litigated questions are liable to rise of a grave character, and seriously affecting the rights of individuals for a satisfactory solution of which a recurrence to the earlier laws of the Indiana Territory may be indispensible. Scarcely an entire series of these laws can now be found in the State, and hence the necessity in accordance with the practice of other States of republishing so much of them at least, as will be found of general importance. The bill seems to have been framed under an impression that no controversies will require a reference to these early laws excepting those in relation to real property. But even if this impression be correct, a slight reflection will make it manifest that the early acts authorized by the bill to be published do not embrace all which are calculated to affect, directly or indirectly, titles to real property. Governed by that principle, it will

be found difficult to exclude any general law from the re-publication. In this respect, therefore, I think the plan by being too limited, will not dispense with the necessity sooner or later of another and more complete re-publication, thus rendering the one contemplated by this bill a mere useless expense.

But in another respect, the scope of the proposed work is unnecessarily broad. Questions but rarely occur that render a reference to the very voluminous Treaties, Resolutions, and Ordinances of the General Government relating to the public lands within the State of Indiana, (which are mainly the same as relate to the public lands elsewhere), and when such questions do occur, we find numerous compilations, digests and editions at large of these "Treaties, Resolutions and Ordinances," already published and convenient for reference. It would therefore be simply a useless expense to re-publish them by the State. Equally unnecessary it seems to me is it to re-publish any class of our State laws to so late a period as the year 1843, as authorized by the present bill. When the comparatively rare occasions happen of referring to laws passed prior to 1843, there is no great difficulty it is believed of finding them as far back as 1830, or even to 1824. What is really needed, is a re-publication of our Statute laws of general concernment, in a series of uniform volumes, on the plan adopted in other States, commencing with those now out of print for the first volume, and continuing the series from time to time as the still later ones become scarce. I would recommend the admirable plan adopted in Ohio, which was compiled and ably edited by S. P. Chace, Esq. I have assertained on conference with a practical printer, and by personal examination, that the whole of our territorial laws from the very earliest period, could be comprised in a single volume of the size and type of the first vol. of the Ohio compilation above referred to, and containing from 660 to 700 pages. I would recommend the publication of such a volume, ending where our State organization commences.

We should then be ready to publish other volumes as occasion might hereafter require, and on the same plan. Such a publication would stand recommended by its fulness, its accuracy, and its permanency. That recommended by the present bill, on the contrary, would only be occasionally reliable in legal investigation, and would not dispense with the necessity sooner or later of one on the plan above indicated. JAMES WHITCOMB.

December 7th, 1847.

To the Senate of the General Assembly of the State of Indiana:

GENTLEMEN—The accompanying bill, entitled "An act to amend the general provisions respecting wills and testaments," was passed at the last session of the General Assembly, but was not presented to me until within less than five days of its final adjournment. I now return the bill, as provided by the constitution, to the Senate

in which it originated, with the objections to my approval of the same.

The first section provides that when proceedings may be instituted in the Probate or Circuit Courts to establish a lost, destroyed, or suppressed will or codicil, either by bill in Chancery or otherwise, the party endeavoring to prove or establish such a lost, destroyed, or suppressed will or codicil, shall have the affirmative of the issue, "and shall be entitled to the opening and closing of all the arguments respecting the investigation of all questions respecting the same." It is understood that by the law as it now exists, and by the general practice of the Courts, where a party institutes proceedings to establish any facts of an affirmative character, he is entitled to open and close the arguments upon the issues presented by his assertion of such facts. The provisions of this section might, however, be construed to mean something more than this, and to give the party complainant the right to open and close the discussion of collateral questions, such as often arise during the progress of the suit, and where he otherwise would not be entitled to such right.—The second section provides that in all cases where a bill in Chancery may be brought or may be pending, to establish or prove a lost, suppressed, or destroyed will or codicil, all persons who might be the heirs at law, in case the deceased had died intestate, shall be made parties defendant, and shall either admit or deny, under oath, every fact charged in such bill, and every fact not specifically denied shall be taken as confessed against the party not denying the same, and may be read in evidence on the trial as though the same had been confessed.

With reference to this section, I may observe that in chancery proceedings, as the law now is, all persons interested must be made defendants, and they are required to answer, *if capable of answering*, every material fact charged, *that is within their knowledge*. If they do not so answer, such facts are taken as confessed, but if the facts charged are not within the knowledge of the defendants, or if such defendants are infants, idiots, or other persons who cannot personally answer by reason of their disability, the facts alleged by the complainant must be proved. The above section as it now stands, seems to make none of these exceptions, but requires the defendants in all cases, without regard to their disability, or want of knowledge of the matter charged, to admit or deny specifically, every thing which the complainant may think proper to charge in defence of which the matters so charged are to be taken as confessed by the defendant. If this view be correct, I need but point out the changes which thus appears to be made in the law now in force, by this section of the bill, to show that it might be the occasion of much injustice. It is probable that in the hurry of legislative proceedings, the above sections of the bill were not intended to bear the construction I have put upon them. If they were not, the bill may be easily so amended as to obviate the objections I have suggested, and in the meantime no serious inconvenience can have been expe-

rienced from the delay thus occasioned in the passage of the bill, as its provisions do not otherwise vary much from those of the law now in force. JAMES WHITCOMB.

December 7th, 1847.

Mr. Berry, the chairman of the committee on roads, submitted the following report:

MR. PRESIDENT:

The committee on roads, to which was referred two petitions of citizens of Ripley and Dearborn counties for the location of a State road from Washington township, Ripley county, to King's mills, in Dearborn county, have had the same under consideration, and in consequence of said petitioners failing to comply with the provisions of the first, second, third, and fourth sections of article one, of chapter sixteen of the Revised Statutes of 1843, direct said petitions to be referred back to the Senate, and ask that they be laid on the table.

Which was concurred in by the Senate.

Mr. Robinson, chairman of the committee on claims, submitted the following report:

MR. PRESIDENT:

The committee on claims, to whom was referred the petition of J. B. Mattocks & Co., have, according to order, examined into the nature and justness of the claim, and are of the opinion that it would be inexpedient to grant the prayer of the petitioner; a majority of said committee have therefore directed me to report said petition back to the Senate and recommend that it be laid on the table, and respectfully ask to be discharged from the further consideration of the same.

Which was concurred in by the Senate.

Mr. Howel, chairman of the committee on the State Prison, submitted the following report:

MR. PRESIDENT:

The committee on the State Prison, to whom was referred a resolution of the Senate inquiring into the expediency of selling out the old State Prison, have, according to order, had the same under consideration, and directed me to report the following bill, and recommend its passage:

No. 268. A bill authorizing the sale of the old Indiana State Pri son.

Which was read the first time and ordered to a second reading.

The following message was received from His Excellency, the Governor, by Mr. James M. Sleeth, his private secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he did, on the 27th day of January last, approve and sign bill, No. 4, entitled "An act to incorporate the Franklin Institute of the Richmond University:" And that he did, this day, approve and sign bill, No. 22, entitled "An act to prohibit the sale of spirituous liquors and wines in Henry township, Henry county, Indiana."

Both of which originated in the Senate.

February 2*d*, 1848.

Mr. Howel, chairman of the committee on the State Prison, submitted the following report:

MR. PRESIDENT:

The committee on the State Prison, to whom was referred a resolution of the Senate to inquire whether the lessee of the Indiana State Prison has not violated his contract with the State by working the prisoners without the walls of the prison, and by inflicting corporeal punishment upon the convicts contrary to law; also to inquire whether a Warden of the State Prison be necessary or not, have, according to order, had the same under consideration, and directed me to report that to legislate further upon the subject is inexpedient, and ask to be discharged from the further consideration thereof.

Which was concurred in by the Senate.

Mr. Hubbard submitted the following report from the committee on corporations:

MR. PRESIDENT:

The committee on corporations, to which was referred bill of the House, No. 37, have had the same under consideration, and directed me to report the same back to the Senate, with the following amendment, and, on its adoption, to recommend its passage:

SEC. —. In case said corporation becomes insolvent, and unable to pay its debts, the stockholders shall be held individually liable for the payment thereof.

Which amendment was concurred in by the Senate;

The bill read, and ordered to a third reading.

Mr. English, from the committee on corporations, made the following report:

MR. PRESIDENT:

The committee on corporations, to whom was referred House bill, No. 33, entitled "An act to incorporate the College Corner and Liberty Turnpike Company," have had the same under consideration, and have directed me to report it back to the Senate, and recommend its passage.

Which was concurred in by the Senate;

The bill ordered to a third reading.

Mr. Green submitted the following report from the committee on corporations:

MR. PRESIDENT:

The committee on corporations, to whom was referred bill of the Senate, No. 182, have had the same under consideration, and directed me to report it to the Senate, and recommend its passage:

No. 182. An act to revive an act, entitled "An act to incorporate the Lafayette and Danville Railroad Company," approved February 5, 1836.

Which was ordered to be engrossed for a third reading.

Mr. Millikin submitted the following report from the committee on corporations:

MR. PRESIDENT:

The committee on corporations, to whom was referred bill of the House, No. 57, incorporating the Brownstown and Scipio Railroad Company, have directed me to report it back to the Senate with the following amendments:

1st. Add after the word "ascertained" at the the end of section 13, "*and paid.*"

2d. Strike out of section 15 the following, to wit; "they shall be seized in fee simple of the right of said land."

3d. Strike out the words "or materials," in section 20.

4th. Strike out of section 24, all after the word "passage."

5th. Add the following section:

SEC. 25. That in all cases when any person, from whose land said corporation may wish to take materials for the construction of said road, refuses to make a donation of such materials to said corporation, or sell the same at a fair price, it shall be lawful for said corporation, to have the damages assessed to such owner, in the same manner as is provided in Sec. 20 of this act, for assessing the damages of right of way, excepting the advantages of said road shall not be taken into consideration in assessing damages for materials, and upon paying to the owner the amount so assessed, or tendering the same, for such materials, the corporation shall have the right to the same;

Which amendments were concurred in by the Senate.

The bill was ordered to a third reading.

Mr. Millikin, chairman of the committee on corporations, submitted the following report:

MR. PRESIDENT:

The committee on corporations to whom was referred bill of the Senate No. 180, to amend the law incorporating the Lafayette insurance company, have directed me to report the same back to the Senate, and recommend its passage;

Which bill was ordered to be engrossed for a third reading.

Mr. Howell submitted the following report from the committee on the State Prison:

MR. PRESIDENT:

The committee on the State Prison to whom was referred Senate bill No. 167, entitled "a bill for securing an effective supervision of the State Prison," have had the same under consideration, and have directed me to report the following bill as a substitute for the one referred to them, and most respectfully recommend its passage:

No. 167. A bill for securing the effective supervision of the State Prison;

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That there shall be elected, by joint ballot of the Senate and House of Representatives, at the present session, a board of inspectors of the State prison. The first one elected shall serve for three years, the second one elected shall serve for two years, and the third one elected shall serve for one year, and each shall serve until succeeded; and annually thereafter the Legislature shall in like manner elect one inspector, to fill the vacancy which will occur each year.

SEC. 2. It shall be the duty of such board, regularly, and as often at least as once in every three months, to visit said prison, and inspect all its details of management and discipline, and after making and keeping themselves acquainted with the management, instruction and discipline of other well regulated prisons, to prescribe such rules and regulations, from time to time, for the discipline, treatment, and instruction of the convicts, and the duties of the lessee, warden, and all officers and employees of said prison as they shall deem best calculated to insure the safe keeping, proper treatment, good behavior, moral and religious instruction, and particu-

larly the reformation of the convicts, not interfering thereby with the contract between the State and the lessee, unless with his consent.

Sec. 3. The board shall have power to direct any alteration in the structure or use of any part of said prison, or any buildings connected therewith, and to direct any additions thereto, which they may judge needful.

Sec. 4. The board, from and after the expiration of the term of service of the present warden, shall appoint the warden of said prison, and they shall appoint, and may at any time remove the chaplain of the prison, and shall direct his duties, so that he may give constant attention to the promotion of the moral and religious improvement of the convicts, and such chaplain shall receive for his services such compensation as such board shall direct, not exceeding three hundred dollars, payable quarterly, of which one hundred and fifty dollars shall be paid by the lessee, and the remainder out of any money in the Treasury not otherwise appropriated, on the order of said board.

Sec. 5. A majority of the board shall be a quorum, and the board shall keep a record of their proceedings, and make a full report thereof to the Legislature annually, during the first week of its session.

Sec. 6. Each member of the board shall receive two dollars a day and his expenses, while actually employed in the discharge of the duties herein prescribed, or which may hereafter be required of them by law, which shall be paid by the Treasurer of State, out of any money in the Treasury not otherwise appropriated, on the audited order of the board.

Sec. 7. It shall be the duty of the lessee to pay to each discharged convict the sum of five dollars. The gross amount so paid shall be certified by the warden to the Treasurer of State, and shall be allowed to the said lessee, and deducted from the amount of his annual rents at the time of making payment thereof.

Sec. 8. All laws or parts of laws requiring the appointment of an annual inspector or visitor of the State Prison, or interfering with the provisions of this act be, and the same are hereby repealed.

Sec. 9. This act to be in force from and after its passage.

Which was read the first time,

The rules being suspended the bill was read a second time.

Mr. Millikin moved to amend by striking out so much as relates to electing by joint ballot by the Legislature, and insert in lieu thereof, appointed by the Governor;

Which amendment was not adopted.

The rules being further suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Winchell submitted the following report from a select committee:

Mr. President:

The select committee to whom was referred bill of the House No. 68, direct me to report the same back without amendment, and recommend its passage;

The bill was read and ordered to a third reading.

On motion by Mr. Green,

Resolved, That the committee on corporations be instructed to inquire into the expediency of passing a law prohibiting incorporated companies from contracting liabilities beyond the actual means of said company to pay.

To require incorporated companies to make and publish semi-annually, or quarterly, a full statement or expose of the business of said company. This statement or expose to be made by the treasurer, clerk, or secretary of the company, under oath.

BILLS INTRODUCED.

By Mr. Henry,

No. 269. An act to amend chapter 46 of the Revised Statutes of 1843, in relation to suits and proceedings in chancery;

Which was read, and

On motion by Mr. Henry,

The rules were suspended, the bill read a second time and referred to the judiciary committee.

By Mr. Hubbard,

No. 270. A bill to incorporate the Cincinnati and St. Louis Railroad Company;

Which was read the first time.

On motion by Mr. Hubbard,

The rules were suspended, the bill read a second time and referred to the committee on corporations.

The following message was received from the House of Representatives by Mr. Ward, their clerk.

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the engrossed amendments of the Senate, to the following engrossed bills of the House, without amendment:

No. 23. An act to locate a State road in the counties of Allen and Dekalb;

No. 74. An act regulating special elections ordered by the Governor.

And that the House have also passed the following engrossed bill of the Senate, without amendment.

No. 112. An act to amend an act entitled "an act to incorporate the Knightstown and Shelbyville Railroad Company."

The following message was received from the House of Repsesentatives, by Mr. Ward their clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of of the Senate, without amendment.

No. 42. An act to authorize the sale of School Lands in Jay county;

No. 62. An act for the benefit of S. E. Warler and George Green;

No. 65. An act to vacate a portion of an addition to the town of Lafayette;

No. 70. An act for the relief of the heirs of Anthony Schuets, deceased;

No. 71. An act to authorize Mathias Peterson to convey water into the city of Lafayette;

No. 83. An act to change the name of the town of Springfield Whitley county, to the name of Cherryvalley;

No. 86. An act authorizing Peter King to build a mill dam across the Mississinewa river;

No. 104. An act authorizing Thomas Ruble to build a mill dam

No. 137. An act incorporating the town of Huntington;

No. 140. An act to incorporate the Portland and Ohio Railroad Company;

No. 142. An act authorizing the commissioners of Lagrange county to sell the building erected for the purpose of a county seminary in said county;

No. 143. An act to incorporate the Milton and Waterloo Turnpike Company;

No. 84. An act for the relief of Michael Hedakin and others;

No. 236. An act to repeal an act entitled "an act to repeal an act incorporating the town of Greensburgh in Decatur county, Indiana," approved January 28, 1843, and for other purposes;

And that the House have also concurred in the engrossed amendments of the Senate, to the following bills of the House, without amendment:

No 96. An act changing the venue in the case of the State of Indiana against Willis M. Miller, from the county of Davies in the tenth judicial circuit of the State of Indiana, to Dubois county in the fourth judicial circuit.

By Mr. Rousseau,

No. 271. A bill for the relief of John S. Watts;

Which was read.

On motion by Mr. Rousseau,

The rules were suspended, the bill read a second time and referred to tne committee on claims.

By Mr. Stewart,

No. 272. A bill relative to the city of Indianapolis, Marion county, Indiana;

Which was read.

On motion by Mr. Stewart,

The rules were suspended, the bill read a second time and referred to the committee on the affairs of the town of Indianapolis.

The following message was received from the House of Representatives, by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Repsesentatives to inform the Senate that the House have passed the following engrossed bill of the Senate, without amendment:

No. 120. An act for the relief Patrick McGinley;

By Mr. Cassatt,

No. 273. An act supplementary to an act entitled an act to amend an act entitled "an act for the relief of purchasers of canal lands," approved January 19th, 1846, approved December 28th, 1846;

Which was read.

On motion by Mr. Cassatt,

The rules were suspended, the bill read a second time and referred to the judiciary committee.

Leave being granted,

Mr. Davis submitted the following report, from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred bill of the House No. 66, "abolishing the office of school commissioner in Floyd county, and for other purposes," have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

Which bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Conduit,

The previous order of business was suspended.

Bill of the Senate,

No. 513,

Was taken up and referred to a select committee.

Senators Conduit, Houghton, and Osborn were appointed said committee.

ORDERS OF THE DAY.

Bills on their third reading—

No. 147. An act to change the name of Granville, in Tippecanoe county;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 148. An act to vacate a part of a State road in Tippecanoe county;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 149. An act for the relief of members of the Wabash Fire Company in Lafayette;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 150. An act to incorporate the Tippecanoe Guards, in Tippecanoe county;
Which was read a third time and passed;

Ordered, That the Secretary inform the House thereof.

No. 193. An act to amend an act entitled "an act to provide for a free turnpike road in Steuben county;
Which was read the third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 154. An act to incorporate the Huntington, Whitley, and Kosciusko Turnpike Company;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 155. An act to change the time of holding commissioners' court of Jefferson county;
Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 156. An act to change the time of holding the Franklin probate court;
Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 157. An act to provide for summoning petit jurors in the county of Johnson;
Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 159. An act for the relief of Joseph E. Moore;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 160. A joint resolution relative to a marsh and wet tract of land in the counties of Jay and Adams;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 161. An act to amend the 14th section of article 1, of chapter 14, of the Revised Statutes of 1843;
Which was read the third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 162. An act to revive and amend an act entitled "an act to incorporate the Perrysville and Danville rail road company," approved January 26 1836, and an act entitled, "an act to amend an act entitled an act to incorporate the Perrysville and Danville rail road company," approved February 13, 1840;
Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 49. An act to extend the jurisdiction of justices of the peace in certain criminal cases;
Which was read a third time.
The question being on the passage of the bill,
Senators Hardin and Cornett demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Cassatt, Chenowith, Coats, Conner, Day, Hamrick, Handy, Hardin, Henry, Holloway, Howel, Houghton, Hubbard, Huffstetter, Malott, McCarty, Miller, Millikin, Montgomery, Morrison, Murphy, Osborn, Randall, Read, Robinson, Rousseau, Simpson, Stewart, Verbrike, Waters, Winchell, Zenor—34.

Those who voted in the negative are,

Messrs. Beard, Conduit, Cornett, Davis, Ellis, English, Goodnow, Green, James, Marsh, Martin, Murray, Orth, Taber—14.

The following message was received from His Excellency, the Governor, by his private secretary, Mr. James M. Sleeth:

MR. PRESIDENT:

I am directed by the Governor, to inform the Senate that he did, on yesterday approve and sign bill

No. 243. Entitled "an act amendatory to an act entitled an act to incorporate the White Water Valley Canal Company," approved January 20th, 1842;

And that he this day approved and signed bill

No. 34. Entitled "an act to vacate certain streets and alleys in the town of Raysville, Henry county;

Both of which originated in the Senate.

February 2d, 1848.

On motion by Mr. Winchell,

The vote taken on the passage of bill No. 49, was reconsidered.

On motion,

The Senate adjourned.

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2 o'clock P. M.

Senate assembled.

Leave being granted,

Mr. Berry offered the following resolution:

Resolved, That the bill entitled "An act providing for the publication of certain laws therein named," and the bill entitled "An act to amend the general provisions respecting wills and testaments;" both of which originated in the Senate, and were passed by both Houses of the General Assembly at the last session thereof, were severally returned by the Governor to this Senate at the present session, to wit: on the seventh day of December, 1847, with his seperate messages, containing his objections to his approval of said bills respectively, and which objections, to supply a past omission, are this day entered upon the Journal of the Senate.

Which was adopted.

The question being on the passage of bill No. 49, which was pending on adjournment,

The bill was passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Berry,

The Veto Message of the Governor was taken from the table.

On motion by Mr. Millikin,

The Veto Message of the Governor was again laid on the table.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate, without amendment:

No. 16. An act to incorporate the Eel River Manufacturing company, at Logansport, Indiana.

No. 24. An act to incorporate the Monticello Hydraulic company.

No. 47. An act to incorporate the Rushville and Lawrenceburgh Railroad company.

No. 53. An act to incorporate the Crawfordsville and Indianapolis Railroad company.

No. 72. An act to incorporate the Fairfield Hydraulic company.

No. 77. An act to incorporate the Madison and Brownstown Turnpike company.

No. 89. An act to incorporate the French Lick Steam mill company.

No. 103. An act in relation to the suit of the Vincennes University against the State of Indiana.

No. 113. An act abolishing the office of School Commissioner in the county of Putnam.

No. 118. An act to incorporate the Ripley County Medical Society.

No. 131. An act to amend an act to revive an act entitled "An act to incorporate the city of Logansport;" approved, January 13, 1845.

No. 135. An act for the relief of John Boone.

No. 205. An act for the relief of John Kearney, and to authorize him to sell certain real estate.

No. 208. An act to authorize the erection of a certain Bridge in Martin county.

No. 210. An act to legalize the acts of the Auditor of Steuben county for the year A. D. 1847.

BILLS ON THEIR THIRD READING.

No. 3. An act to incorporate the Richmond University;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 145. An act for the relief of the tax payers in certain counties therein named;

Which was read the third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 163. An act to amend an act entitled "An act to authorize the superintendent of the Wabash and Erie Canal to pay such equitable claims as counties and individuals may have, for surveying and locating the canal from Tippecanoe to Terre Haute;" approved, January 25th, A. D. 1847;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 151. An act to amend an act to incorporate the city of Jeffersonville, approved, January 27, 1847;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 164. An act prescribing the duties of petitioners for the incorporation of towns and villages;

Which was read a third time and passed.

Ordered, That that the Secretary inform the House thereof.

No. 166. A bill to incorporate the Union Literary Institute;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 168. A bill to explain and amend "An act for the relief of the purchasers of the saline lands in Orange county;" approved, January 22d, 1847;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 169. An act authorizing the commissioners of La Grange county to increase the salary of the Probate Judge of said county;

Which was read the third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 172. A joint resolution on the subject of reducing the price of our public lands;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 173. A bill authorizing the vacation of town lots and alleys;

Was laid on the table.

No. 174. An act to revive an act entitled "An act to authorize the location of a State road from Salem, in Washington county, by Lawrenceport, on White River, to Bedford in, Lawrence county;" approved, January 21st, 1847;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 178. An act fixing the corporate limits of the town of Lafayette;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 179. An act to authorize the commissioners of Tippecanoe county to pay for the erection of a bridge across the canal at Green street, in Lafayette;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 195. An act to provide for the taxing of estates in dower;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 209. An act in relation to certain school lands in Floyd county;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 220. An act in relation to the law prohibiting the Indians from selling lands in this State;

Which was read the third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 228. An act to incorporate the Lake Michigan, Logansport and Ohio River Railroad Company;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 236. A bill to aid in the settlement of the estate of John Sims, deceased;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 238. A bill to incorporate the Ohio and Mississippi Telegraph Company, and for other purposes;

Which was read, and,

On motion of Mr. Barbour,

Was recommitted to the committee on corporations, with the following instructions:

"To inquire into the expediency of so amending as to require those seeking the benefits of this act, to first file a statement in the office of the Secretary of State as to what system they propose to telegraph under."

No. 244. An act prescribing the manner of assessing and paying the taxes due upon individual stock in the Madison and Indianapolis Railroad Company;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 76. A bill for the improvement of highways in Franklin county;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 82. A bill to vacate a portion of a certain State road therein named;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

BILLS ON SECOND READING.

No. 1. A joint resolution relative to the reduction of postage on newspapers and periodicals.

Which was read a second time, and ordered to a third reading.

No. 10. A bill to change the time of holding the Daviess probate court;

Which was read a second time;

The rules suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 60. An act to incorporate the Madison and Brownstown Turnpike Company by way of Kent, in the county of Jefferson, and Woster, in the county of Scott;

Which was read a second time;

The rules suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 63. An act extending the time of the probate court of Madison county;

Which was read a second time;

The rules suspended, the bill read a third time, and passed.

Ordered, That the secretary inform the House thereof.

No. 67. An act to incorporate the Attica and Warren county Bridge Company;

Which was read a second time;

The rules suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 81. An act to regulate agencies of Foreign Insurance Companies;

Which was read a second time, and referred to the judiciary committee.

No. 197. An act to amend article 8 of chapter 13 of the Revised Statutes of 1843, in relation to the surplus revenue fund;

Which was read a second time, and referred to the committee on education.

No. 198. An act to authorize the Board of County Commissioners of Jay county to borrow money;

Which was read a secone time;

The rules suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 199. A bill for the relief of the sureties of James H. Kintner, late school commissioner of Cass county;

Which was read a second time;

The rules suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

Mr. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that in relation to bill of the House,

No. 87. An act fixing the time of holding circuit courts in the county of Marion, and for other purposes.

The House have appointed Messrs. Brown and Harding a committee of free conference, on the part of the House, to act with a similar committee heretofore appointed by the Senate, to adjust the matter of disagreement between the two Houses.

No. 201. A bill to dissolve the bonds of matrimony between Wm. E. Caughman, and Mary Caughman;

Was read a second time, and

On motion by Mr. Barbour,

Referred to the judiciary committee.

No. 202. A bill to prevent the sale of spiritous liquors in the town of Rushville;

Was read a second time, and the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 203. A bill to incorporate the Richmond and Hagerstown Turnpike company;

Was read a second time, and the rules suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 204. A bill for the relief of certain persons therein named, in Monroe county;

Was read a second time and the rules suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the Senate thereof.

No. 206. An act to incorporate the Stuben county Medical Society;

Was read a second time, and the rules suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the Senate thereof.

No. 207. A bill to incorporate the Wild Cat Turnpike Company;

Was read a second time, and the rules suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 211. A bill to revive and amend an act entitled "an act to incorporate the Crawfordsville and Wabash Railroad Company;

Was read a second time, and the rules suspended, the bill read a time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 212. A joint resolution declaratory of the meaning of an act entitled "an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," approved January 18, 1846, and an act supplementary thereto, approved January 27, 1847, in relation to the conveyance of certain canal lands, or tolls therein named;

Was read a second time and referred to the judiciary committee.

No. 214. A bill to incorporate the Mooresville Branch Railroad Company;

Which was read the second time.

On motion of Mr. Conduit,

Was referred to the committee on corporations.

No. 215. A bill in relation to the dam and water power on the Central Canal in Morgan county;

Was read a second time and referred to the committee on canals and internal improvements.

No. 216. A bill authorizing the Madison and Indianapolis Railroad Company to take stock in other companies, and for other purposes;

Was read a second time.

Mr. Stewart moved to indefinitely postpone the bill.

Mr. Osborn moved to lay the bill on the table;

Which was not agreed to.

The question recurring on the motion to indefinitely postpone the bill.

The ayes and noes were demanded by Messrs. Handy and Stewart.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Cassatt, Chenowith, Conner, Cornett, Day, Davis, English, Ellis, Green, Handy, Hardin Henry, Holloway,

Howel, Houghton, Huffstetter, Malott, Marsh, Miller, Montgomery, Morrison, Murphy, Murray, Orth, Randall, Read, Robinson, Rousseau, Simpson, Stewart, Verbrike, Waters, Zenor—35.

Those who voted in the negative are,

Messrs. Beard, Conduit, Goodnow, Osborn, Taber, Winchell—6.

The bill was so postponed.

On motion,

The Senate adjourned.

THURSDAY MORNING, February 3, 1848.

The Senate assembled.

Reading the journal was dispensed with.

Leave being granted,

Mr. Handy offered the following resolution:

Resolved, That it is hereby made the duty of the doorkeepers to prevent all smoking in the Senate chamber, or in the lobbies thereof;

Which was adopted.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. English,

The petition of sundry citizens of Scott county;

Which was laid on the table.

By Mr. Marsh,

The petition of three hundred citizens of Stuben county;

Which was referred to a select commmittee.

Mr. McCarty asked leave of absence for the remainder of this session from Saturday next;

Which was granted.

By Mr. Millikin,

A petition and remonstrance from the citizens of Aurora and vicinity;

Which was referred to the committee on corporations.

By Mr. Henry,

A petition of the citizens of Sullivan county, for the relief of the securities of William Johnson;

Which was referred to a select committee.

Messrs. Henry, Rousseau, Ellis, Robinson, and Berry, were appointed said committee.

By Mr. Winchell,

A remonstrance of 240 citizens of Grant county against the repeal of the present license law; which,

On motion by Mr. Winchell,

Was laid on the table.

Mr. Morrison chairman of the committee on finance, made the following report:

MR. PRESIDENT:

The committee on finance to whom was referred a resolution of the Senate relative to the prompt payment of the interest on the public debt due January 1st 1848, have had the same under consideration and directed me to report that it is unnecessary to legislate further on the subject, the prompt payment of said interest having been provided for by a subsequent act of the Legislature;

Which was concurred in by the Senate.

Mr. Morrison chairman of the committee on finance, made the following report:

MR. PRESIDENT:

The committee on finance to whom was referred the petition of sundry citizens of this State, praying for the passage of an act to prevent the retailing of liquors by the gallon or other small quantity, have had the same under consideration and directed me to report, that it is inexpedient to legislate further on the subject, and ask to be discharged from the further consideration thereof;

Which was concurred in by the Senate.

Mr. Morrison chairman of the committee on finance made the following report:

MR. PRESIDENT:

The committee on finance to whom was referred bill of the Senate No. 31, entitled, "a bill for the relief of sufferers by high waters on the White Water river," with sundry amendments and instructions, have had the same under consideration, and directed me to report that it is inexpedient to legislate on the subject, and respectfully recommend that the bill be indefinitely postponed;

Which was concurred in by the Senate.

The bill was indefinitele postponed.

Mr. Morrison chairman of the committee on finance made the following report:

MR. PRESIDENT:

The committee on finance to whom was referred House bill No. 27, entitled, "a bill authorizing a revaluation of lands in Monroe and Irwin townships, Howard county." have had the same under consideration, and directed me to report the same back to the Senate with three amendments:

1st. Strike out in the title 'revaluation,' and insert appraisement.

2d. Strike out in the sixth line of the first section "re" before appraise.

3d. Strike out in the second line of the third section "re" before appraisement, and on the adoption of which, they respectfully recommend its passage;

Which amendments were concurred in by the Senate.

The bill was ordered to a third reading.

Mr. Malott submitted the following report from the committee on finance:

MR. PRESIDENT:

The committee on finance to whom was referred Senate bill No. 102, entitled, "a bill to amend the 12th chapter of article 11 of the Revised Statutes of 1843," have had the same under consideration, and directed me to report it back to the Senate, and recommend its indefinite postponement;

Which was concurred in by the Senate.

The bill was indefinitely postponed.

Mr. Morrison chairman of the committee on finance made the following report:

MR. PRESIDENT:

The committee on finance to whom was referred bill of the Senate No. 187, entitled, "a bill to dispose of the Georgia lumber lands," have had the same under consideration, and directed me to report it back to the Senate with two amendments:

1st. Strike out in the second and third lines of the first section, "John H. Bradley of the county of Marion," and insert Cyrus Taber of the county of Cass.

2d. Strike out in the ninth and tenth lines of the first section, "eight hundred dollars," and isert one thousand dollars.

Mr. Orth moved to amend the bill by striking out "Cyrus Taber," and insert "John Pardue" and insert "two thousand" in place of one thousand.

Mr. English moved to amend the amendment by striking out "John Perdue," and insert Cyrus Taber, Martin R. Green, P. M. Kent, and Samuel Patterson, strike out "two thousand" and insert two thousand five hundred.

On motion by Mr. Read,

The bill and amendments were laid on the table.

The following message was received from his Excellency the Governor, by his private Secretary, Mr. James M. Sleeth :

Mr. President :

I am directed by the Governor to inform the Senate that he did on this day approve and sign bill No. 60, entitled "an act to incorporate the Greenbush Cemetery Association of Lafayette in Tippecanoe county," which originated in the Senate.

February 3d, 1848.

Mr. Murray submitted the following report from the committee on finance :

Mr. President :

The committee to whom was referred the petition of sundry citizens of Harrison county, have had the same under consideration, and have directed me to report that the financial condition of the State renders it imprudent to grant the prayer of the petitioners;

Which was concurred in by the Senate.

Mr. Read chairman of the committe on federal relations, submitted the following report :

Mr. President :

The committee on federal relations to whom was referred joint resolution of the House, No. 30, in relation to increasing the clothing and pay of non-commissioned officers and privates belonging to our armies in Mexico, have had the same under consideration, and atier giving that deliberate and mature consideration which the importance of the subject required, have directed me to report the same back to the Senate, and recommend its passage, and ask to be discharged from the further consideration of that subject ;

Which joint resolution was ordered to a third reading.

Mr. Miller submitted the following report from the committee on federal relations :

Mr. President :

The committee on federal relations to whom was referred joint resolution No. 99, of the Senate, relative to the admission of cadets into the West Point Military Academy, have had the same under consideration, and directed me to report the same back and recommend that it be laid on the table, and ask to be discharged from the further consideration thereof.

Which was concurred in by the Senate.

The bill was laid on the table.

Mr. Berry submitted the following report from the committee on roads :

Mr. President :

The committee on roads to which was referred bill of the House No. 36, entitled, "An act to authorize the board doing county business in Orange county to dispense with a road tax," have had said bill under consideration, and direct that it be reported back to the Senate, and recommend its passage.

The rules being suspended,

The bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Hardin, chairman of the committee on the affairs of the town of Indianapolis, submitted the following report :

Mr. President :

The committee on the affairs of the town of Indianapolis, to which were referred a petition of numerous citizens of said town, the minutes from the records of said city, as also a bill of the Senate No. 272, all on the same subject, to wit : the restoration of the streets and alleys of said town, which have become vacated by virtue of law, to their original character as public highways, have had the same under consideration, and beg leave to report,

That, in their opinion, the interests and rights of the citizens of the town, as well as of the State, require that the character of the streets and alleys of said town, as public highways, should be preserved ; they therefore recommend the passage of the bill and ask to be discharged from the further consideration thereof.

The rules being suspended,

The bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Murray submitted the following report from the committee on claims :

MR. PRESIDENT :

The committee to whom was referred bill No. 200, of the House of Representatives, have had the same under consideration, and from the evidence before them believe that the damage complained of resulted from an act of Providence and not of the State. The committee have therefore directed me to report it back and recommend its indefinite postponement.

Whice was concurred in by the Senate.
The bill was indefinitely postponed.

Mr. Millikin, chairman of the committee on corporations, submitted the following report :

MR. PRESIDENT :

The committee on corporations to whom was referred bill of the Senate No. 238, incorporating the Ohio and Mississippi Telegraph company, have directed me to report it back to the Senate and recommend its passage.

The rules being suspended,
The bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following reports :

MR. PRESIDENT :

The committee on enrolled bills have this day presented to the Governor for his approval and signature, bills of the Senate Nos. 120 and 121.

MR. PRESIDENT:

The committee on enrolled bills have compared bills of the Senate Nos. 120 and 121, with the engrossed bills, and find them correctly enrolled.

Mr. Conduit submitted the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred bill of the Senate No. 213, have had the same under consideration, and have directed

me to report the same back to the Senate and recommend its passage.

Which bill was ordered to be engrossed for a third reading.
Mr. Day submitted the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred the petition of George W. Matthews and others, praying a change in a certain State road therein named, have had that subject under consideration, and directed me to report the following bill and recommend its passage:

No. 274. An act to change a certain State road in the county of St. Joseph ;

Which was read the first time ;
The bill ordered to a second reading.
Mr. Martin submitted the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred the petition of sundry citizens of Lagrange and Noble counties, on the subject of the road laws in said counties, have had the same under consideration, and have directed me to report he following bill and recommend its passage :

No. 275. A bill extending the provisions of the 16th section of Revised Statutes of 1843 to Lagrange county.

Which was read the first time, and ordered to a second reading.
On motion by Mr. Conner,

Resolved, That the committee on finance be instructed to report a bill reducing the salaries of the trustees of the Wabash and Erie Canal, on the part of the bondholders, to the lowest amount permitted by the act of 1847.

Mr. Henry moved to amend the resolution so that the committee be instructed to inquire into the expediency ;
Which amendment was not adopted.
The resolution was adopted without amendment.
On motion by Mr. Barbour,

Resolved, That a select committee of one from each congressional district be appointed, whose duty it shall be to report to the Senate the number of miles to and from the capital, for which each Senator is entitled to receive mileage.

Which was adopted.

Messrs. Barbour, Howell, Davis, Millikin, Holloway, Rousseau, Montgomery, Waters, Osborn, and Randall were appointed said committee.

On motion by Mr. Rousseau,

Resolved, That the committee on finance be instructed to inquire into the expediency of increasing the salaries of the judges of the circuit and supreme courts of this State.

BILLS INTRODUCED.

By Mr. Berry,

No. 276. A bill to amend an act therein named;

Was read the first time and the rules being suspended, the bill was read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

By Mr. Miller,

No. 277. A bill relating to auditors and treasurers;

Which bill was read the first time and passed to a second reading.

By Mr. Miller,

No. 278. An act to incorporate the trustees of the Owensville Public House;

Was read the first time, and the rules being suspended, the bill was read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

By Mr. Orth,

No. 279. A bill to provide for assessing and paying damages occasioned by the construction of the Wabash and Erie Canal;

Was read the first time and passed to a second reading.

ORDERS OF THE DAY.

Bills on their third reading.

No. 175. A bill to incorporate the New Castle and Richmond Rail Road Company;

Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 176. An act to incorporate the New Castle and Knightstown Rail Road Company;

Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 177. An act to amend the act to provide for the continuation

of the Madison and Indianapolis Rail Road to Lafayette, approved January 19th, 1846;

Was read the third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 180. An act to amend an act entitled "an act to incorporate the Lafayette Insurance Company," approved February 7th, 1836;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 181. An act giving aditional power to the president and trustees of the town of Lafayette in Tippecanoe county;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 182. An act to revive an act entitled "an act to incorporate the Lafayette and Danville Railroad Company," approved February 5, 1846;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 184. An act for the relief of certain persons therein named;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 188. An act to legalize a survey of the city of Fort Wayne;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 193. An act for the benefit of the county auditor of Grant county;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 196. A bill for the relief of J. & E. L. Beard;

Which was then read a third time, and,

The question being on the passage of the bill,

Senators Hardin and English demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Chenowith, Conduit, Conner, Day, Davis, Ellis, Goodnow, Hamrick, Holloway, Howel, Houghton, Hubbard, Martin, Miller, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Waters, and Winchell—27.

Those who voted in the negative are,

Messrs. Berry, English, Green, Handy, Hardin, Henry, Huffstet-

ter, Malott, Marsh, Milligan, Millikin, Morrison, Randall, Read, Taber, and Zenor—16.

The bill passed.

Ordered, That the Secretary inform the House thereof.

No. 197. An act to amend article 8 of chapter 13 of the Revised Statutes of 1843, in relation to the surplus revenue fund;

Which was read the third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 140. An act to incorporate the Portland and Ohio Railroad Company;

Which was read the third time, and passed.

Ordered, That the Secretary inform the House thereof.

On motion,

The Senate adjourned.

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2 o'clock, P. M.

The Senate assembled.

Leave being granted,

Mr. Barbour made the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred the resolution of the Senate instructing them to ascertain and report to the Senate the number of miles to and from the Capital, for which each Senator is entitled to receive mileage, have had the same under consideration, and have instructed me to report that they find each Senator entitled to the allowance specified in the following resolution, having adopted in each case the usual and most travelled land route; and they instruct me to report the following resolution, and recommene its adoption by the Senate:

Resolved, That the President of the Senate, in certifying the accounts of Senators respectively for the present session, for travel in going to and returning from the present General Assembly, as herein specified, and no more.

To Mr. Barbour, each way, 42 miles—total 84 miles.
To Mr. Beard, each way, 45 miles—total 90 miles.
To Mr. Berry, each way, 60 miles—total 120 miles.
To Mr. Cassatt, each way, 100 miles—total 200 miles.

To Mr. Chenowith, each way, 117 miles—total 234 miles.
To Mr. Coats, each way, 75 miles—total 150 miles.
To Mr. Conduit, each way, 18 miles—total 36 miles.
To Mr. Conner, each way, 25 miles—total 50 miles.
To Mr. Cornett, each way, 75 miles—total 150 miles.
To Mr. Day, each way, 140 miles—total 280 miles.
To Mr. Davis, each way, 130 miles—total 260 miles.
To Mr. English, each way, 95 miles—total 190 miles.
To Mr. Ellis, each way, 136 miles—total 272 miles.
To Mr. Goodnow, each way, 86 miles—total 172 miles.
To Mr. Green, each way, 100 miles—total 200 miles.
To Mr. Hamrick, each way, 50 miles—total 100 miles.
To Mr. Handy, each way, 25 miles—total 50 miles.
To Mr. Hardin, each way, 11 miles—total 22 miles.
To Mr. Henry, each way, 70 miles—total 140 miles.
To Mr. Holloway, each way, 70 miles—total 140 miles.
To Mr. Howel, each way, 175 miles—total 350 miles.
To Mr. Houghton, each way, 110 miles—total 220 miles.
To Mr. Hubbard, each way, 40 miles—total 80 miles.
To Mr. Huffstetter, each way, 95 miles—total 190 miles.
To Mr. James, each way, 190 miles—total 380 miles.
To Mr. Malott, each way, 75 miles—total 150 miles.
To Mr. Marsh, each way, 220 miles—total 440 miles.
To Mr. Martin, each way 210 miles—total 420 miles.
To Mr. McCarty, each way, 75 miles—total 150 miles.
To Mr. Miller, each way, 150 miles—total 300 miles.
To Mr. Milligan each way, 112 miles—total 224 miles.
To Mr. Millikin, each way, 85 miles—total 170 miles.
To Mr. Montgomery, each way, 75 miles—total 150 miles.
To Mr. Morrison, each way, 100 miles—total 200 miles.
To Mr. Murphy, each way, 50 miles—total 100 miles.
To Mr. Murray, each way, 123 miles—total 246 miles.
To Mr. Orth, each way, 75 miles—total 150 miles.
To Mr. Osborn, each way, 145 miles—total 290 miles.
To Mr. Randall, each way, 150 miles—total 300 miles.
To Mr. Read, each way, 130 miles—total 260 miles.
To Mr. Robinson, each way, 50 miles—total 100 miles.
To Mr. Rousseau, each way, 80 miles—total 160 miles.
To Mr. Simpson, each way, 70 miles—total 140 miles.
To Mr. Taber, each way, 70 miles—total 140 miles.
To Mr. Verbrike, each way, 25 miles—total 50 miles.
To Mr. Walpole, each way, 20 miles—total 40 miles.
To Mr. Waters, each way, 60 miles—total 120 miles.
To Mr. Winchell, each way, 75 miles—total 150 miles.
To Mr. Zenor, each way, 144 miles—total 288 miles.

Mr. Cassatt moved to lay the resolution on the table;

Messrs. Orth and Hardin demanded the ayes and noes:

Those who voted in the affirmative are,

Messrs. Cassatt, Conner, English, Robinson, Taber, and Winchell —6.

Those who voted in the negative are,

Messrs. Barbour, Beard, Berry, Chenowith, Coats, Conduit, Cornett, Davis, Ellis, Goodnow, Green, Hamrick, Handy, Hardin, Henry, Holloway, Houghton, Hubbard, Huffstetter, James, Malott, Marsh, Martin, Miller, Milligan, Millikin, Murphy, Murray, Morrison, Montgomery, McCarty, Orth, Osborn, Randall, Read, Simpson, Stewart, Verbrike, Waters, and Zenor—38.

Mr. Howel was excused from voting.
The resolution was not laid on the table.
The resolution was adopted.

ORDERS OF THE DAY.

Bills on their third reading.

No. 4. An act to amend an act, entitled "An act to establish a State road on a portion of the dividing line of the counties of De Kalb and Steuben," approved January 2, 1847;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 5. A bill to change the time of holding probate court in Clark county;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 6. An act authorizing the sale of certain school lands in Franklin county;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 8. An act to provide for assessing and collecting a road tax on lands and town lots in Madison county;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 11. An act for providing for the sale of certain school lands in the county of Dearborn, belonging to township 9, range 3 west, in Franklin county;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 12. An act to enable the supervisors of Scott county to make

their returns to the board doing county on the first ——— in March annually;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 13. An act to extend the time for the final payment for certain school lands in Miami county, and for other purposes;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 16. An act to amend an act compelling speculators to pay a road tax equal to that paid by actual settlers;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 22. An act for the relief of the surplus revenue fund belonging to Decatur county;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 29. An act granting additional compensation to the Probate Judge of St. Joseph county;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 42. An act to provide for the selection of petit jurors in the county of Warren;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 45. An act to extend the jnrisdiction of justices of the peace in the counties of Lake and Porter;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 46. An act to fix the time of holding the Probate Courts in the county of Putnam;
Which was read a third time and passed.

Ordered. That the Secretary inform the House thereof.

No. 47. An act to provide for electing Supervisors by districts in the counties of Miami and Montgomery;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 52. An act for selecting of jurors in the county of Delaware;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 59. An act to authorize the Trustees of School district No. 1, Town 37 North, Range 5 East, in Elkhart county, to raise an additional tax;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Read moved to suspend the previous order of business, and take up the message from the House, containing the militia bill,
On which Senators Read and Berry demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Berry, English, Green, Hamrick, Handy, Henry, Howel, James, Malott, McCarty, Miller, Morrison, and Read—13.

Those who voted in the negative are,

Messrs. Barbour, Beard, Cassatt, Chenowith, Coats, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hardin, Holloway, Houghton, Hubbard, Huffstetter, Marsh, Martin, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Randall, Robinson, Simpson, Stewart, Taber, Verbrike, Waters, Winchell, and Zenor—33.

The message was not taken up.

No. 61. An act authorizing the Trustees of School district No. 5, in township 37, North of Range 3 East, in St. Joseph county, to levy a tax to finish a school house in said district;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 62. An act to incorporate the Botanic Medical Society of Decatur county;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 64. A bill to incorporate the Laporte Female Seminary;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 71. An act to amend the 22d section of an act of the Revised Statutes, entitled "An act for the relief of the poor;"
Which was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 75. An act relating to road tax in Perry county;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 33. An act for the relief of James Hardin, of Warrick Co.;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 1. A joint resolution relative to the reduction of postage on newspapers and periodicals;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 33. An act to amend an act entitled "An act to incorporate the College Corner and Liberty Turnpike company;"
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 37. A bill to incorporate the Connersville Hotel company;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 57. An act to incorporate the Brownstown and Scipio Railroad company;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 68. An act leaving it discretionary with the Board of Commissioners of Delaware county, what compensation they shall allow Supervisors for making out their return;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

BILLS ON SECOND READING.

No. 98. An act to incorporate the town of Peru;
Was read a second time, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 217. A bill to incorporate the Wayne county Turnpike company;
Was read a second time and ordered to be engrossed.

No. 218. A bill to incorporate the Fairview Academy in Rush county;
Was read a second time and ordered to be engrossed.

No. 219. A bill to authorize the improvement of Tanner's creek, in Dearborn county;
Was read a second time, and ordered to be engrossed.

No. 221. A bill for the benefit of widows and orphans;
Was read a second time, and ordered to be engrossed.

No. 223. A joint resolution relative to a harbor at Michigan city;

Was read a second time, when

Mr. Millikin moved to refer the bill to the committee on federal relations.

The ayes and noes being demanded by Senators Orth and Murphy:

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, and Taber—24.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Simpson, Verbrike, and Zenor—22.

The bill was so referred.

No. 224. A bill to incorporate the Fort Wayne and Goshen Turnpike Company;

Was read a second time, when

Mr. Randall offered the following amendment:

Amend the first section, by adding the names of Pliny Hoagland, Hugh McCulloch, Robert Starkweather, and Peter Heller, of Allen county; J. H. Barnes, of Elkhart county; Joel B. L. Smith, and J. B. Shaffer, of Noble county.

Which amendment was adopted, and the bill referred to the committee on corporations.

No. 225. A bill concerning certain claims therein named;

Was read a second time, and

Mr. Ellis moved to refer the bill to the judiciary committee.

Mr. McCarty moved to indefinitely postpone the bill.

The ayes and noes were demanded by Senators Hardin and Robinson:

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Cassatt, Coats, Davis, Ellis, Goodnow, James, Malott, McCarty, Morrison, Orth, Osborn, Rousseau, Simpson, Waters, Winchell, and Zenor—18.

Those who voted in the negative are,

Messrs. Berry, Chenowith, Conduit, Cornett, Day, English, Green,

Hamrick, Handy, Hardin, Henry, Howel, Houghton, Hubbard, Huffstetter, Martin, Miller, Milligan, Millikin, Murray, Read, Robinson, Stewart, Taber, and Verbrike—25.

The bill was not so postponed.

Mr. Handy moved to lay the motion to refer on the table.

Which was so ordered.

The question recurring on the engrossment of the bill,

The ayes and noes were demanded by Senators Robinson and Stewart:

Those who voted in the affirmative are,

Messrs. Berry, Chenowith, Cornett, Day, English, Green, Handy, Hardin, Henry, Houghton, Hubbard, Huffstetter, Marsh, Martin, Millikin, Read, Robinson, Stewart, Taber, and Verbrike—20.

Those who voted in the negative are,

Messrs. Barbour, Beard, Cassatt, Coats, Conduit, Conner, Davis, Ellis, Goodnow, Hamrick, Holloway, Howell, James, Malott, McCarty, Miller, Morrison, Murphy, Murray, Orth, Osborn, Randall, Rousseau, Simpson, Winchell, and Zenor—26.

It was not so ordered.

On motion by Mr. Davis,

The previous order of business was suspended, and the following message from the House taken up:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill of the Senate, with one amendment:

No. 27. An act for the benefit of the New Albany and Salem Railroad company;

In which amendment of the House the concurrence of the Senate is respectfully requested.

Mr. Berry moved to lay the bill and amendment on the table.

Which was not agreed to.

The question being on concurring in the engrossed amendment of the House,

It was not concurred in.

The order of business being suspended,

Mr. Martin made the following report, from a select committee:

MR. PRESIDENT:

The select committee, to which was referred Senate bill No. 165, a bill to incorporate the Laporte and Michigan City Railroad Company, have had the same under consideration, and have directed me to report the same back to the Senate, with the following amendments, and when so amended, recommend its passage:

Amend by striking out the bill from the enacting clause, and insert the following:

Strike out the title, and insert the following: "An act to amend an act entitled an act to incorporate the Buffalo and Mississippi Railroad Company," approved February 6th, 1835; and the several acts amendatory thereto.

An act to amend an act entitled an act to incorporate the Buffalo and Mississippi Railroad Company, approved February 6th, 1835; and the several acts amendatory thereto.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That Chauncy B. Blair, Andrew L. Osborn, Abraham P. Andrew, jr., William C. Hannah, and William J. Walker, and their successors in office, to be elected as hereinafter provided, shall be, and they are hereby constituted a board of commissioners, to take charge of the western division of the Buffalo and Mississippi Railroad, which said western division shall comprize all of said road west of Laporte, in the county of Laporte; and as such board they shall be vested with all the powers, rights, and capacities touching the said western division, as are now possessed by the directors of said company; and shall, in and over said division, for the purposes of constructing, operating, and stocking said road, and for all purposes connected therewith, be clothed with all the rights, privileges, and franchises secured to the directors of said company, by the charter thereof, or the amendments made or to be made thereto; and they are hereby authorized to construct all or any part of said road, lying west of the village of Laporte; and also a branch of said road from Michigan city, to the southern line of the State of Michigan, in the direction of New Buffalo, to connect with the road of the Michigan Central Railroad Company, with all proper fixtures, shops, depots, and other appurtenances.

SEC. 2. Said board of Commissioners, under the name and style of the Board of Commissioners for the Western division of the the Buffalo and Mississippi Rail Road, shall have full power and authority to enter into any contract or contracts, agreement or agreements, with any person or persons, body or bodies politic or corporate in this State or out of it, for a loan or loans of money for the purchase of iron or other materials, for the construction of said branch road, and may contract to lease the same for such time as may be deemed expedient, or may, in advance, contract to make a lease of said branch road, and said fixtures, depots, shops, and appurtenances, in consideration of an advance of money wherewith to build the same.

SEC. 3. They shall, in like manner, have full power and authority to enter into any contract or contracts, agreement or agreements, with any person or persons, body or bodies politic or corporate, either in the State or out of it, for any loan or loans of money, at a rate of interest not exceeding eight per centum per annum, payable semi-annually, and the principal payable at any time after ten years, subject, however, to the provisions hereinafter provided for the construction of the main line of the said western division of said road, and proper and suitable buildings and appurtenances thereto, and stocking the same, and for charge of the rail as hereinafter provided; and if any such loan or loans shall be obtained from the Michigan Central Rail Road Company, or its stockholders, or through its or their agency, it shall be competent for the said commissioners to agree that the western division of said road or any part of it shall be constructed and said money expended in said construction, under the direction and by the superintendent of the Michigan Central Rail Road Company, and to place the said western division of said road, or any part thereof, into the possession of the said company, or the lenders of the said money, together with the stock, fixtures, and appurtenances thereof under a mortgage or other conveyance, by way of security, with such or like powers, as are described in section one, of the amendment to the charter of the Buffalo and Mississippi Rail Road Company, approved January 21st, 1839, or otherwise, as security for the repayment of said loan or loans, with full power to manage operate, or control the same; subject, however, to be, and the same, on the demand of the said board of directors, shall be restored to the possession and control of the directors of the said company, upon the expiration of the period for which said loan or loans shall be made, and the completion of the entire line of the road of said company across the State; *Provided*, That the said commissioners shall, in no case, by such mortgage, or otherwise, encumber or exercise any control over the said road east of Laporte, nor shall any debt, created by them, constitute any charge or liability upon or against that portion of said road east of Laporte, or the stockholders thereof. Such change of possession, however, not to impair or in any way effect the validlty of said mortgage, or the rights of said mortgagees thereunder; and said commissioners may make any contract or agreement for the operation and stocking said western divsion of said road, and for the division of profits thereof, as they may deem advisable, and as may be agreed upon between them and other contracting parties; and in case the lenders of said money or the mortgagees, shall be compelled to enforce said security, by reason of any default in payment and procure a sale of said road, west of Laporte, or which may have been conveyed to them, then the purchasers at said sale shall be entitled to the like franchises and privileges as the Buffalo aud Mississippi Rail Road Company are now entitled to, and said franchises and priviliges shall attach to and accompany the said road; *Provided, however*, The franchises and privileges of the Buffalo and Mississippi Rail Road Company, and

its rights east of Laporte, shall, in no wise, be impaired or affected thereby; and said parties loaning said money, or said mortgagees shall have full power, from time to time, to repair said road, and make such improvements, constructions, and erections out of the earnings of said road, as may be deemed necessary to facilitate business; *Provided*, That until the said western division of said road shall be restored to the possession of said directors of the Buffalo and Mississippi Rail Road Company, the Michigan Central Rail Road Company, or other party or parties in interest, whether as stockholders or lenders, shall use and operate the said road upon their own account, and at their own risk and expense, and shall take and share all the proceeds thereof in lieu of said interest; and said commissioners may make such contract with the lenders for the division of profits as between them and stockholders as may be deemed just and equitable, and the Buffalo and Mississippi Rail Road shall not be, until such surrender, liable for said interest or for any expenditures for repairs or for costs of operating the road, until said western division shall be restored to said directors, as aforesaid, from which time said eight per cent. interest shall become payable, and, until that time, said parties, receiving said profits, shall not be required to render any account of the revenues, business, or expenditures of or upon said road; and it shall be competent for said commissioners to agree that said western division shall remain in possession of said lenders until said loan shall become due and payable; and in case any permanent erections or improvements shall be made upon said road during said time, or in case it shall become expedient to place upon said road a T rail, the cost and expense of such improvement and change of rail shall be added to the amount of said loan.

Sec. 4. Said parties or mortgagees shall render to the commissioners, and also to the directors of said Buffalo and Mississippi Rail Road Company, a full statement of all the capital invested in the construction of said western division, and also of all additional investments for any permanent improvements and erections, and also for the change of the flat rail for the T or heavy rail, in case any such change shall be deemed expedient.

Sec. 5. In case it shall so happen, from any cause, that any portion of the Buffalo and Mississippi Rail Road shall not be completed within the time required by its charter or the amendments thereto, such failure to complete said road shall not be deemed a breach or violation of said charter, or of the duties of the said company thereunder, but all the rights and privileges granted to the said company, and its charter shall attach to and become the rights and privileges, and the charter of the portion of said road which shall be completed, and no act or omission of duty done or committed by the company or directors, or said commissioners thereof, which may be a cause of forfeiture of its franchises, or any part thereof, shall in any way impair or affect the rights of the lenders of said money or the said mortgagees or their assigns, secured to them under said charter and amendments thereto.

Sec. 6. In case of any appeal from the judgment of any justice of the peace, upon any report of any jury for the appraisal of damages touching the rights of way, or for lands taken for the purpose of constructing thereon the road of said company, as provided in its charter and amendments thereto, such appeal shall not prevent the said company from proceeding in the construction of said road over said lands, nor deprive it of its right of entry thereon for that purpose, which right is hereby expressly granted; *Provided*, That before said company shall so enter and construct said road, it shall either tender to the owner of said lands the full amount of damages which shall have been adjudged to him or her, or shall pay the same into the court to which such appeal may be taken, subject to the order of said court; and every such appeal shall be taken within twenty days from the rendition of said judgment, and not afterwards, and acceptance of the amount of the judgment when tendered, shall, in all cases, be taken to be a waiver of the right to appeal and a certified transcript of the judgment of the said justice or of the court to which such appeal shall be taken, may be taken by the company, and caused to be recorded in the recorder's office of the county where said lands are situate, and such records shall be notice to all the world of the rights of the company; and in case of any appeal, judgment shall be recovered against said company for a larger amount than was recovered before said justice, then said company shall, within sixty days from the date of said judgment, pay the difference between the amount of the judgment before the justice, and that before the said court, in case the amount of the judgment before the justice shall have been previously paid into court; and, if not, then the whole of said judgment in the appellate court shall be paid to the owner of said land, within the same time, or, in default thereof, execution may issue therefor, and in case it shall at any time be found that the said company is or shall be in possession of land, the title to which has not been made perfect in said company, it may obtain title to the same, by appraisal, judgment, and payment therefor, as in other cases provided for in said charter and amendments thereto.

Sec. 7. In case any person shall wish to become stockholders in said western division of said road, the said commissioners shall have power to open books at Laporte, and Michigan City, under such regulations as they may deem proper for subscriptions of stock, and shall have and exercise the same power, to collect the subscriptions and enforce payment thereof, as the charter of the said company secures to the directors thereof, and in the same manner, and in case loans of money shall also be made, the said commissioners may make such agreement with the lenders thereof, relative to the dividends upon said stock as between the said stockholders and lenders, as may be deemed by the parties contracting, just and proper.

Sec. 8. Whenever the portion of the road which may be mortgaged under this act, or placed in the control of the Michigan

Central Railroad Company, or the lenders of said money, shall be restored to the possession of the Buffalo and Mississippi Railroad Company, it shall nevertheless be the duty of the Buffalo and Mississippi Railroad Company, and it is hereby required thereafter always, to transport freight and passengers to and from Michigan City, and to and from the depots used by the Michigan Central Railroad at Michigan City, and over that portion of the Buffalo and Mississippi Railroad between Michigan City and the Illinois line, for rates of fare which shall not exceed per mile the lowest rates charged to any other parties on any portion of the whole of the said Buffalo and Mississippi Railroad, or any road connected therewith, by contract or otherwise in the division of profits, and shall draw the cars of the Michigan Central Railroad Company over the road between Michigan City and the Illinois line, with the engines of the Buffalo and Mississippi Railroad Company, in such a manner as to accommodate the Michigan Central Railroad Company in the transportation of its freight and passengers, allowing said company a reasonable and just compensation for the use of its cars. And the width of the track of the Buffalo and Mississippi Railroad shall not in such case be changed so as to defeat this object. And in case it should so happen that the money loaned and secured by mortgage, shall not be paid, and said mortgage shall be foreclosed as contemplated in this act, and the property in said western division, or in said road from Michigan city to the Illinois line, shall become vested in any other parties than the Buffalo and Mississippi Railroad Company, then and in that case the parties that shall become the purchasers, and their assigns, shall be required forever to transport freight and passengers over said road, between Michigan city, or Laporte, as the case may be, and the Illinois State line, to and from Michigan city, or Laporte, as the case may be, and to and from the road of the Buffalo and Mississippi Railroad Company, in connection therewith at either of those points —for rates of fare which shall not exceed, per mile, the lowest rates charged to any other parties, on any portion, or the whole of the Michigan Central Railroad, or any road connected therewith, by contract or otherwise, in the division of profits; and shall draw the cars of the Buffalo and Mississippi Railroad Company, between Michigan city, or Laporte, as the case may be, and the Illinois line, with the engines of the party purchasing said road, or their assigns, in such a manner as to accommodate the Buffalo and Mississippi Railroad Company, in the transportation of freight and passengers, allowing said company a just and reasonable compensation for the use of said cars, but charging freight as aforesaid.

And in like manner, in all respects, in case that portion of the Buffalo and Mississippi Railroad east of Laporte, and between Laporte and Michigan city, shall be completed and put in operation before the said western division, or that portion of said road from Michigan city to the Illinois line shall be restored to the possession of the Buffalo and Mississippi Railroad Company, it shall be the

duty of the Michigan Central Railroad Company, or other party or parties in interest, to transport the freight and passengers and draw the cars of the Buffalo and Mississippi Railroad Company over said western division, or the Railroad from Michigan city to the Illinois line, so as to accommodate the Buffalo and Mississippi Railroad Company in the the transportation of freight and passengers, and subject to the same terms as to charges for freight, and pay for the use of cars.

Sec. 9. In case said road shall be sold under the said mortgage, and the property therein and the franchises thereof shall become vested in any parties, other than the Buffalo and Mississippi Railroad Company, or in case said portion of said road should remain in the possession of said company, and the charter of the said company on the residue of said route, should by any contingency become forfeited, and that subsequently said charter should be revived or a new one granted, then, and in that case, the parties that shall become purchasers or otherwise have possession of said portion of said road and their assigns, shall be required forever to transport freight and passengers over the said road between Michigan City or Laporte, as the case may be, and the Illinois State line, to and from Michigan City or Laporte as aforesaid, and to and from the road of said company at Michigan City or Laporte as aforesaid, organised under such renewed, or newly granted charter, for rates of fare, which shall not exceed, per mile, the lowest rates charged to any other parties on any portion, or the whole of the said Michigan Central Railroad, and shall draw the cars of said newly organized company on and over the road between Michigan city, or Laporte, as aforesaid, and the Illinois line, with the engines of the said parties purchasing or owning said road, or their assigns, in such a manner as to accommodate such newly organized company, in the transportation of its freight and passengers, allowing said company a reasonable compensation for the use of its cars, but charging freight as aforesaid.

Sec. 10. In case the Michigan Central Railroad Company, or other persons or party constructing said branch Railroad, or for whom the same may be constructed, or their or either of their assigns, shall enter into any arrangement either with the Southern Michigan Railroad Company, or the Erie and Kalamazoo Railroad Company, or any other Railroad company in Michigan, for the formation of any connection therewith, except as provided in this act, whereby either freight or passengers to or from Toledo shall be carried on said branch road, from Michigan city to the northern State line, and thereby open a communication between Toledo and Chicago to the detriment of the Buffalo and Mississippi Railroad, until the same shall be completed through between those two points, it shall make an entire forfeiture of the said branch road, and all the rights, privileges, and franchises thereto herein granted to the said Central Railroad Company, or other persons for whom or by whom the said branch road may be undertaken or constructed, or their assigns.

SEC. 11. The said Board of Commissioners created by this act shall hold their offices until said contracts, or contracts for said loans, shall have been made, and thereafter they shall be elected annually, by the stockholders, who shall become such in the western division of the Buffalo and Mississippi Railroad Company upon the first Monday in January of each year, or upon such other day as shall be by the said Board appointed; and in case no election shall be had upon the day hereby appointed, the Commissioners last elected or appointed shall hold their offices until a new election shall be had. Said Commissioners may be elected from stockholders living either within or out of the State, and shall have power to choose a President from among their number, and also to appoint a Secretary and Treasurer of said Board, and a majority of said Board shall be a quorum to transact all business, and they shall enter into contracts or agreements in the name of the "Buffalo and Mississippi Railroad Company, by the Board of Commissioners, for the western division of said road," and may use a corporate seal, which shall be the seal of the said Board or of the said Company. But they shall exercise no control or have anything in any way to do with or encumber that portion of said road lying east of Laporte; and the said Board of Commissioners shall be dissolved whenever the Buffalo and Mississippi Railroad is completed through the entire line of its route.

SEC. 12. The present outstanding debt of the Buffalo and Mississippi Railroad Company shall, in case any loan of money shall be made for the construction of the western division of said road, be a charge upon the stock subscribed for said division and upon said Commissioners; and it shall be the duty of said Commissioners to procure the same to be cancelled, paid, or otherwise discharged, and leave the said company from any liability by reason thereof, and relieve it from all obligation to pay the same.

SEC. 13. The present directors shall, when this act is accepted, surrender up their stock to the company to be cancelled, and any and every stockholder, of stock subscribed previous to the 1st January, 1848, may and shall have the right, upon request, to have his said stock cancelled entirely; and so far as the said stock shall be surrendered up and cancelled, it shall be the same as if it had never been subscribed for. And the directors of said company shall cancel all such surrrendered and all forfeited stock; and books shall from time to time be opened and stock subscribed, in the same manner and to the same extent as if such cancelled stock had never been taken.

SEC. 14. This act shall take effect and be in force from and after the time when the same shall be accepted as a part of the charter of the Buffalo and Mississippi Railroad Company, by a resolution of the Board of Directors thereof entered upon the records of said Board in full; and from that time the said Commissioners shall be fully vested with the powers herein conferred upon them, and from that time also the places of the present Board of Directors

shall be vacated, and the acceptance of this act by them shall be taken as a resignation of their several offices as Directors of said Company, and from that time until the said western division of the said road shall be redeemed from said mortgage or other conveyance by way of security for said moneys loaned, or until the whole line of the Buffalo and Mississippi Railroad shall be completed across the State, the Directors of said Company shall be elected by the stockholders of said Company whose stock shall have been subscribed in books opened or to be opened therefor in counties along the line of said road east of Laporte; and said Directors so to be elected shall be residents of the said eastern counties, excepting as by the charter of said Company and the amendments thereto, they may be non-residents of the State of Indiana, and said part of said road lying east of Laporte shall be entirely under the control of the stockholders whose stock shall have been so subscribed. But said Directors and Commissioners shall mutually report to each other all their proceedings, expenditures, and the revenues of their respective divisions, and such other matters as may be proper, whenever requested, but not oftener than once in each year. And after said western division shall be replaced in the possession of the Directors of said Company as provided in this act, then and from that time its affairs shall be controlled by the stockholders generally, under the charter, and Directors shall be elected by them from any part of the State or elsewhere, under the provisions of the charter and the amendments thereto, in the same manner as if this act had never been passed.

SEC. 15. In case of the acceptance of this act as an amendment to the charter, and the resignation of the present Directors, Thomas S. Stanfield and Joseph L. Jernegan, of the county of St. Joseph, and James H. Barnes and Erastus W. H. Ellis, of the county of Elkhart, and Delavan Martin and Drusas Nichols, of the county of Lagrange, and Madison Marsh, of the county of Steuben, shall be and they are hereby constituted, a Board of Directors for the Buffalo and Mississippi Railroad Company, as the successors of the now existing Board of Directors, to hold their offices as such until their successors in office are duly elected, according to the provisions of the charter and amendments for the election of Directors, with power to fill all vacancies in their Board, and to organize the same, and to make all necessary orders and do all acts which may be made or done by the Directors of said Company, under the original charter or the amendments thereto, except as otherwise provided in this act, and to receive from the present Directors all records or other books and papers, and all stock and other property or thing belonging to said Company. The Directors of said Company shall have power to make all such necessary contracts with any railroad company or companies either in Ohio or Illinois, for the passage of cars or otherwise, as shall accommodate said Buffalo and Mississippi Railroad Company in the transportation of its freight and passengers, but they shall in no case encumber the said western division of said

road, nor shall any debt created or contracted hereafter by the Directors of the Buffalo and Mississippi Railroad Company constitute any charge or liability upon or against the western division of said road, or the stockholders thereof, until the said western division shall be restored to the possession of the directors of said road, under the provisions of this act.

Provided, that if either of the above persons shall not, at the time of the organization of said Board, be a stockholder in said company, it shall vacate his said office as such Director, which vacancy shall be filled as in other cases.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate, without amendment:

No. 121. An act to amend an act entitled "An act to incorporate the Ohio and Indianapolis Railroad company," approved January 20, 1846.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the Speaker has signed the following enrolled bill:

No. 39. An act to amend an act entitled, "An act granting to the citizens of the town of Evansville a city charter," approved January 27, 1847;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bills.

On motion,

The Senate adjourned.

FRIDAY MORNING, FEBRUARY 4, 1848.

The Senate assembled.

Reading of the journal dispensed with.

The following message was received from the House of Representatives, by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate without amendment:

No. 8. An act to amend the charter of the Madison and Napoleon turnpike company.

No. 50. An act in relation to the county seminary fund of Tippecanoe county.

No. 51. An act to incorporate the Madison female college.

No. 54. An act to repeal the second section of an act to vacate certain alleys in the town of Bloomington.

No. 100. An act to amend the record of the town of Huntington.

No. 105, An act to authorize the commissioners of the county of Cass, to employ a physician for the paupers of said county.

No. 106. An act to change the name of the county seat of Martin county.

No. 107. An act to authorize the sale of school section No. 16, in township No. 25, north of range 2 west.

No. 108. An act in relation to the town of Carrollton in Carroll county.

No. 110. An act to incorporate the junction rail road company.

No. 115. A joint resolution on the subject of locating land warrants.

No. 116. An act to locate a State road in Posey and Vanderburg counties.

No. 119. An act to improve the Huntington and Goshen State road.

No. 126. An act to vacate a road in Laporte county and for the relief of O. P. Ludlow.

No. 127. An act to amend an act entitled, "an act to reduce the tolls on the New Albany and Vincennes road and for other purposes."

No. 128. An act to corret a misprint in a certain act therein named.

No. 129. An act to authorize Isaac Heftner and others to build a mill dam across the Salamonia river.

No. 133. An act to authorize the county of Laporte to borrow money and levy an additional tax.

No. 134. An act for the benefit of the recorder of Monroe county.

No. 138. An act levying a road tax in the township of Union in St. Joseph county.

Leave being granted Mr. Murray offered the following resolution:

Resolved, That the Secretary of State be, and he is hereby authorized to employ two clerks to assist him in enrolling bills of the Senate, until the close of the session.

Which was adopted.

Mr. Miller moved to reconsider the vote taken on the adoption of the resolution.

The question being on reconsidering the vote,

Messrs. Miller and Barbour demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barbour, Cassatt, Coats, Day, Handy, Henry, Huffstetter, Malott, Marsh, McCarty, Miller, Morrison, Randall, Read, Taber—15.

Those who voted in the negative are,

Messrs. Beard, Berry, Chenowith, Conduit, Conner, Cornett, Davis, English, Goodnow, Hamrick, Hardin, Holloway, Howel, Houghton, Hubbard, James, Martin, Milligan, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Waters, Winchell, Zenor—31.

The vote was not reconsidered.

PETITIONS, MEMORIALS, REMONSTRANCES.

By Mr. Coats.

A petition of sundry citizens of Fountain county praying for an amendment to the license law; which,

On motion by Mr. Coats,

Was referred to the judiciary committee.

By Mr. Marsh.

A petition of the citizens of Steuben county, relative to the Buffalo and Mississippi rail road; which,

On motion by Mr. Marsh,

Was referred to the select committee to which petitions on the same subject has been referred.

By Mr. Winchell,

A remonstrance of sundry citizens of Grant county, in relation to a school section in town 25; which,

On motion by Mr. Winchell,

Was laid on the table.

Mr. Winchell submitted the following report from the judiciary committee;

MR. PRESIDENT:

The judiciary committee, to whom was referred bill of the House No. 25, have directed me to report the same back, and ask that it be referred to the committe on roads;

Which was concurred in by the Senate.

Mr. McCarty submitted the following report from the judiciary committee:

MR. PRESIDENT:

The judiciary committee to which was referred bill No. 75, entitled, "a bill to amend an act to provide for the election of prosecuting attorneys by the people, in the several counties," have had the same under consideration and have directed me to report the same back, and recommend its passage.

On motion by Mr. Handy,

The county of Shelby was excepted from the provisions of the bill.

Mr. Rousseau moved to recommit the bill to a select committee, with the following instructions:

Amend the bill so that the prosecuting attorney for each judiciary circuit of this State, shall be hereafter elected by the qualified voters of such circuits, said select committee to be composed of one Senator from each judicial circuit;

Which was not agreed to.

Mr. Miller moved to lay the bill on the table.

Messrs. English and Stewart demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Cassatt, Conduit, Cornett, English, Green, Hamrick, Handy, Howel, Houghton, Huffstetter, Malott, Marsh, Martin, Miller, Milligan, Morrison, Stewart, Taber, Waters, Winchell, and Zenor—23.

Those who voted in the negative are,

Messrs. Beard, Chenowith, Coats, Day, Davis, Ellis, Hardin, Henry, Holloway, Hubbard, McCarty, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Randall, Read, Robinson, Rousseau, and Verbrike—22.

The bill was laid on the table.

Mr. Orth, chairman of the committee on the judiciary, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary to which was referred a resolution of the Senate, enquiring into the expediency of authorizing the county boards to pay prosecuting attorneys such sum as they may think proper, and to pay into the treasury the fees now received by them, have had the same under consideration, and have directed me to report that it is inexpedient to legislate on the subject.

Which report was concurred in by the Senate.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary to which was referred bill of the House No. 43, entitled "an act for the relief of Dorothy Owens and others," have had the same under consideration, and have directed me to report it back to the Senate and recommend its passage.

Which was concurrred in by the Senate,

And the bill ordered to a third reading.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary to which was referred bill of the Senate No. 186, entitled "a bill confirming the marriage between Thomas Berry and Elizabeth Berry," have had the same under consideration, and have directed me to report that it is inexpedient to legislate on the subject, and wish to be discharged from the further consideration thereof.

On motion by Mr. Osborn,

The bill and report was laid on the table.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary to which was referred bill of the House No. 15, entitled "an act explanatory of an act entitled an an act defining the duties of county treasurers in certain cases," approved January 13, 1845, have had the same under consideration,

and have directed me to report it back to the Senate, and recommend that it be referred to the committee on finance.

Which was concurred in by the Senate, and the bill referred to the committee on finance.

Mr. McCarty submitted the following report from the judiciary committee:

MR. PRESIDENT:

The judiciary committee to whom was referred the petition of J. T. Liston, have had the subject of said petition under consideration, and have directed me to report that it is inexpedient to legislate upon the matter.

Which report was concurred in by the Senate.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary to whom was referred bill of the Senate No. 170, entitled "a bill to regulate proceeding in the action of waste," have had the same under consideration, and have directed me to report the same to the Senate with one amendment, upon the adoption of which they recommend its passage.

Add the following proviso to the end of the second section:

Provided, That default in such cases shall not dispense with proof of the material allegations in the plaintiffs declaration.

Which amendment was concurred in by the Senate.

The bill ordered to a third reading.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary to which was referred bill of the Senate No. 201, entitled "a bill to dissolve the bands of matrimony existing between William E. Caughman and Mary Caughman, have had the same under consideration, and have directed me to report it back to the Senate and recommend that it be laid on the table, and ask to be discharged from the further consideration thereof.

The Senate concurred in the report.

The bill was laid on the table.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary to whom was referred bill of the House of Representatives No. 17, entitled "an act explanatory of the meaning of the 159th section of the 47th chapter of the Revised Statutes and for other purposes," have had the same under consideration, and instructed me to report that legislation on the subject is inexpedient, and ask to be discharged from the further consideration thereof.

The Senate concurred in the report.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary to whom was referred bill of the House No. 20, entitled "a bill declaring a misprint in 'an act to amend the practice in the Probate Court,'" approved January 28, 1847, have had the same under consideration and instructed me to report the same to the Senate and recommend its passage:

Which report was concurred in by the Senate.
The bill passed to a second reading.
Mr. Orth, chairman of the judiciary committee, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary to which was referred bill of the Senate No. 183, entitled "a bill to amend the law," have had the same under consideration, and have directed me to report that it is inexpedient to legislate on the subject, and ask to be discharged from the further consideration of the subject.

Mr. Orth moved to amend the bill by striking out all but the first and last sections;
Which was adopted.
The bill ordered to be engrossed for a third reading.
Mr. Winchell submitted the following report from the judiciary committee:

MR. PRESIDENT:

The judiciary committee, to whom was referred bill of the Senate, No. 192, have directed me to report the same back to the Senate, without amendment, and recommend its passage:

Which was concurred in by the Senate.
The bill ordered to be engrossed for a third reading.
Mr. Orth, chairman of the committee on the judiciary, made the following report:

MR. PRESIDENT:

The committee on the judiciary to which was referred Senate bill No 98, entitled "An act for the relief of the heirs of John Widney," have had the same under consideration, and instructed me to report the same to the Senate, with one amendment, and upon its adoption respectfully recommend its passage;

Which bill was ordered to be engrossed for a third reading.
Mr. Orth, chairman of the judiciary committee, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary to which was referred bill of the Senate No. 266, entitled "a bill for the relief of Margaret Wade," have had the same under consideration, and instructed me to report the same to the Senate and respectfully recommend its passage.

On motion by Mr. Orth,
The second section of the bill was stricken out.
The bill ordered to be engrossed for a third reading.
Mr. Orth, chairman of the judiciary committee, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary to whom was referred bill of the Senate, entitled "a bill to amend chapter 46 of the Revised Statutes of 1843, in relation to suits and proceedings in chancery," have had the same under consideration, and have directed me to report, that it is inexpedient to legislate on the subject, and recommend its indefinite postponement, and ask to be discharged from the further consideration thereof.

Ordered, That the Senate concur in the report.

The bill was indefinitely postponed.
Mr. Orth, chairman of the judiciary committee submitted the following report:

MR. PRESIDENT:

The committee on the judiciary, to which was referred bill of the

House No. 21, entitled "an act to authorize the Dearborn probate court to make certain orders and decrees therein named," have had the same under consideration, and have directed me to report it back to the Senate, and recommend its passage;

Which bill was ordered to be engrossed for a third reading.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary to which was referred Senate bill No. 185, entitled "a bill to authorize executors, administrators, and guardians to make deeds in certain cases," have considered the same, and instructed me to report it back to the Senate, with one amendment, and when so amended recommend its passage; and said committee ask to be discharged from the further consideration thereof. Said amendment is as follows:

SEC. —. It shall not be necessary hereafter to record any deed of conveyance heretofore or hereafter to be executed, by any executor, administrator, or guardian, upon the order book or the final record;

Which amendment was concurred in by the Senate.

The bill ordered to be engrossed for a third reading.

Mr. Orth, chairman of the judiciary committee submitted the following report:

MR. PRESIDENT:

The committee on the judiciary to which was referred House bill No. 31, entitled "a bill relative to Probate Judges in the county of Porter," have had the same under consideration, and instructed me to report it back to the Senate without amendment, and recommend its passage; and said committee ask to be discharged from the further consideration of said bill;

Which report was concurred in.

The bill ordered to be engrossed for a third reading.

Mr. Cassatt submitted the following report from the judiciary committee:

MR. PRESIDENT:

The judiciary committee, to whom was referred Senate bill No. 273, have had the subject under consideration, and directed me to report the same back for the action of the Senate, and ask to be discharged from the further consideration thereof:

No. 273. An act supplementary to an act entitled an act to amend an act entitled "an act for the relief of purchasers of canal lands," approved January 19th, 1846, approved December 28, 1846.

Which,

On motion by Mr. Stewart,

Was referred to the committee on finance.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary, to which was referred bill of the House of Representatives No. 81, entitled "a bill to regulate agencies of foreign insurance companies," have had the same under consideration, and instructed me to report the same to the Senate with the following amendments, upon the adoption of which, they respectfully recommend its passage:

Amend section 3d as follows:

Line 12—insert before the word "for," in said line, the words "knowing that such money had been paid."

Strike out of the 5th section, the following words:

"And shall thereafter be published in the Indiana Sentinel and State Journal."

Which amendments were concurred in by the Senate.

The bill passed to a third reading.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary, to which was referred bill of the Senate No. 190, entitled "a bill exempting certain property from execution," have had the same under consideration, and instructed me to report that, inasmuch as the Senate has already decided that they will not interfere with the present valuation and appraisement laws of the State, that legislation on the subject matter of said bill is inexpedient; they therefore recommend that said bill be indefinitely postponed.

Ordered, That the Senate concur in the report, and the bill be indefinitely postponed.

Mr. Murphy submitted the following report, from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred bill of the Senate No. 157, entitled a bill to amend the second article of chap-

ter 30 of the Revised Statutes of 1843, concerning the probate of wills and testaments, have had the same under consideration, and have directed me to report it back to the Senate, and recommend its passage.

The bill was ordered to be engrossed for a third reading.

On motion by Mr. Davis,

The vote refusing to concur in the amendment of the House to bill No. —, for the benefit of the New Albany and Salem Railroad Company, was reconsidered.

Mr. Davis then moved to concur in the amendment of the House, by striking out the same, and the proviso in the third section of said bill, and insert in lieu thereof, in said third section, the following provisos:

Provided, That said road shall first be constructed from the city of New Albany, to the town of Salem; and said town of Salem shall be a point upon the continuous or main line of said road.

Provided, further, That no road shall be constructed by said company, which shall diverge from the main line of said road, between New Albany and Salem, if it shall be found practicable to continue said road from Salem to Columbus, or such other point or points as said company shall deem best.

Which amendment was adopted.

The amendment of the House, as thus amended, was then concurred in.

Mr. Robinson, chairman of the committee on claims, submitted the following report:

MR. PRESIDENT:

The committee on claims, to whom was referred bill of the Senate No. 271, entitled a bill for the relief of John S. Watts, have directed me to report the same back to the Senate without amendment, and respectfully recommend its passage.

Which report was concurred in by the Senate.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Miller, chairman of the committee on agriculture, submitted the following report:

MR. PRESIDENT:

The committee on agriculture, to whom was referred the petition of Bro. Joseph, asking the Legislature to make an appropriation to enable him to publish a book, on the subject of the culture of the grape, have, according to order, had the same under consideration,

and beg leave to report that they have examined the subject referred to them, and read a portion of the manuscript of the proposed book, and although they believe the work would be a useful one, yet, owing to the finances of the State, they deem legislation on the subject inexpedient, and they therefore ask to be discharged from the further consideration of the subject.

Ordered, That the Senate concur in the report of the committee.

Mr. Millikin, chairman of the committee on corporations, submitted the following report:

MR. PRESIDENT:

The committee on corporations, to whom was referred petitions of numerous citizens of Laporte county, praying for a law incorporating companies to build plank roads, have had the same under consideration, and directed me to report the accompanying bill, and recommend its passage:

No. 280. An act to authorize the construction of plank roads;

Which was read the first time, and ordered to a second reading.

Mr. Houghton submitted the following report, from the committee on corporations:

MR. PRESIDENT:

The committee on corporations, to whom was referred bill of the Senate No. 214, to incorporate the Mooresville Branch Railroad Company, have had the same under consideration, and have directed me to report it back to the Senate with two amendments, and when adopted, recommend its passage:

SEC. 16. The advantages of the road shall not be taken into consideration in assessing damages for materials.

SEC. 18. Strike out "shall be seized in fee simple of the right to said land."

Which amendments were concurred in by the Senate.

The rules were suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Henry, chairman of the committee on education, submitted the following report:

MR. PRESIDENT:

The committee on education to whom was referred bill of the House No. 76, have had the same under consideration, and directed me to report the same back to the Senate without amendment, and recommend its passage;

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Ellis submitted the following report from a select committee :

MR. PRESIDENT :

The joint select committee which had been appointed under a joint resolution of the Senate and House of Representatives, to examine and count the State bonds surrendered under "an act to provide for the funded debt of the State of Indiana, and the completion of the Wabash and Erie canal to Evansville," respectfully report that agreeably to instructions, they proceeded to examine said bonds surrendered and cancelled, in the hands of the Agent of State and that they found the same to correspond with the schedules attached to the report of the Agent of State, except in the following cases, to wit :

One coupon was missing on a bond surrendered by Jno. Ward & Co. of $25, which is supposed to have been lost or mislaid.

Also, there are contained in said schedule, which were not exhibited to the committee—10 bonds of Charles Stetson ; 5 bonds of Edwin Croswell ; 2 bonds of Ambrose C. Kingsland ; 155 bonds of August Belmont, which the Agent of State informed said committee were in the City of New York at the office of the agency ; as also 20 bonds of Otley, Post, and Whiting ; and 1 bond of Mrs. Hallabird, which were not exhibited to the committee.

No other duty under said resolution being imposed on the committee, they ask to be discharged from further action in the matter.

Ordered, That the report of the committee be concurred in, and the committee be discharged.

Mr. Holloway submitted the following report from a select committee :

MR. PRESIDENT :

The seleet joint committe to whom was referred the memorial of John H. Thompson, Secretary of State, relative to certain charges made against him by the editors of the State Sentinel, have had the same under consideration, and have unanimously directed me to report to the Senate, that in their opinion, further attention to that subject is unnecessary, and said committee ask to be discharged.

Ordered, That the report of the committee be concurred in, and the committee discharged.

Mr. Martin submitted the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred the petition of sundry citizens of Lagrange county, praying for a repeal of so much of the charter of the Buffalo and Mississippi rail road company as locates the same at Goshen in Elkhart county, have had the same under consideration, and have directed me to report it is in their opinion inexpedient to legislate upon the subject at the present session of the Legislature, and said committee ask to be discharged from the further consideration of the subject ;

Ordered, That the report of the committee be concurred in.

Mr. Milligan submitted the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred the petition of many citizens of Jay, Blackford, and Wabash counties, asking for the passage of a law incorporating the Wabash and Greenville rail road company, have had the same under consideration and directed me to report the following bill, and recommend its passage ;

No. 281. An act to incorporate the Wabash and Greenville rail road company ;

Which was read the first time and ordered to a second reading.

Mr. Montgomery submitted the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred "so much of the report of the Trustees of the Wabash and Erie Canal, and the accompanying documents, as relates to the construction of the side-cuts at Independence and Williamsport, and the supplying of water for said canal between Lafayette and Coal Creek," have had that subject under consideration, and have directed me to make the following report :

Although your committee feel that the subject referred to them does not permit them to examine the nature of the whole subject of the trust mutually entered into between the State of Indiana and her bondholders, yet they feel they may, without the imputation of irrelevancy, refer to some important facts connected with that subject, previous to the acceptance of the law, (familiarly known as the Butler act,) by our bondholders.

Your committee would call the attention of the Senate, and the people of the State to the fact, that at the commencement of the

session of '46, '47, Mr. Charles Butler of the city of New York, representing himself to be the agent of a large portion of our bondholders, laid before the General Assembly of the State of Indiana, a plan by which the State would be able, according to his representation, to meet her liabilities on her public debt, and wipe from her once fair name a stain, which had for a while bedimmed it, based on a liberal grant of land obtained from the General Government by the enterprise of some of our most worthy citizens.

In view of the circumstances as represented by Mr. Butler, a bill was prepared under his immediate supervision, and passed both branches of the Legislature, in a form then understood to be highly gratifying to himself, and such as would meet the entire approbation and acceptance of our bondholders; the provision authorizing and requiring the construction of the side-cuts above alluded to, having been incorporated in the bill by mutual consent and agreement with all interested. The law as it passed the Legislature was, as has been learned from a reliable source, submitted to our bondholders for their approval and acceptance. To a part of the provisions of this law, our bondholders objected. The works above alluded to did not however, constitute any part of its objectionable features; as will be seen by a reference to the seventeenth section of the supplemental act, prepared as is understood, by the attorney of the foreign bondholders of the State, and also under the supervision and recommendation of Mr. Butler, their reputed agent, then present in England, and now one of the trustees of the trust on the part of the bond holders. By reference to this act it will be seen that they fully recognize the obligation to construct the side-cuts 'particularly mentioned,' in the former act. After the passage of this supplemental act, during the last session, the law was again submitted to the bondholders, and in view of all the obligations, and liabilities incurred by its acceptance by them, the arrangement was finally consummated, and a solemn contract entered into between the State of Indiana, and her bondholders, each agreeing to perform certain acts specified in the law above alluded to, and from the fulfilment of which neither party can deviate without a violation of the obligations; and by such violation releasing the other contracting party from any further liability to discharge their part of the contract.

Your committee would call the attention of the Senate and the people of Indiana to the fact, that the State has, thus far, scrupulously performed her part of the contract, in a manner it is believed satisfactory to all interested.

In view of these facts, it is with feelings of surprise and regret that your committee have seen, they think, a disposition manifested in the report of the trustees of the Wabash and Erie canal, and the report of the chief engineer, whom it will be recollected receives his appointment from the board, to evade certain provisions of the law, and to array one sectional or local interest against another, with the view, it is believed, of escaping from certain obligations and duties imposed on them by the law.

Your committee feel that the allusion to the side cuts at Independence and Williamsport, the construction of which the law imposes on them within eighteen months after the acceptance of the law by the bondholders, in connection with the supplying of water on that part of the canal between Lafayette and Coal creek, the closing remarks of the Chief Engineer and a reference to the amount it will require to complete the main line of the canal, and the italicising of certain words, are not merely coincidents, but an insidious attempt, on the part of the trustees, to array other interests against them, in order that they may be indulged in an unjustifiable delay until a propitious time may present to seek a release from the construction of them.

Your committee feel that they need not travel beyond the Report of the Chief Engineer, accompanying the Report of the Trustees, for sufficient evidence to refute any argument advanced by them on this subject. In this report Mr. Williams says: "The greater part of the large deficiency on the lower part of the line must be passed through the Lafayette level from the Wabash feeder at Delphi; fortunately there is, in this stream, an abundant supply." * * * "The Lafayette level is near 22 miles long, extending from the lock at Delphi to the one at the crossing of Wea. This level was constructed no larger than the established size of 40 feet surface, and, not anticipating so great a demand below, no unusual descent was given it. An inclination in the surface adequate to the passage of the greater quantity of water now required, can only be given by raising the canal surface, at the upper end, to five and one-half feet, or, perhaps, to six feet above bottom. This involves the necessity of raising the Deer creek dam, the pool of which forms a part of this long level. It will require fifteen or eighteen inches to be added permanently to the height of this dam.

The feeder from the Wabash is introduced on a level five feet above the level of the Deer creek pool. Yet, in order to pass this additional quantity of water through the canal and over the tumble of the Delphi lock, it is deemed necessary also to raise the Wabash dam 12 or 15 inches.

The canal near the lower end of this level, between Lafayette and the Wea lock, by the *washing* in of the *sand* and *gravel* from the bluff, has been so *obstructed* in its cross section that the required quantity of water cannot be passed through it. The experience of the past summer has fully demonstrated the inadequate width of this section. As a part of the plan proposed therefor, for supplying the line to Coal creek, the canal along the Wea bluff, and at other points adjoining, to the full width established by law, of 40 feet at the surface.

The passage of the enlarged quantity of water through the long level from the Wea lock to Attica will require that the surface at the upper end of this level be maintained at five feet above the bottom of the canal. To carry out this part of the plan, the Wea feeder dam must likewise be raised 10 or 12 inches."

Your committee are not a little surprised that the board of trustees should, in full view of all these facts, and with the report of the Chief Engineer before them, offer, as a pretence, a fear of a sufficient supply of water on this portion of the canal, as a justification of any delinquency that has or may occur, on their part, in reference to these works. When, according to the report of this officer, all that is required to give a sufficient supply of water to this division of the canal, is, to widen it at the "Wea bluff and at other poinsts adjoining, to the full width *established by law*," and to raise three dams from 10 to 18 inches each!

Your committee fully concur in the opinion advanced by the Chief Engineer, that there is an ample quantity of water in the Wabash river to supply this division of the canal; and, as the contract was entered into in full view of the condition of the canal, your committee are clearly of the opinion that the above change should be made, and that there is to be found no good reason, in connection with the supplying of water for this portion of the canal, why the law should not be strictly adhered to in spirit and in letter.

They have, therefore, directed me to report the following preamble and joint resolution:

No. 282. A joint resolution in relation to the contract entered into between the State of Indiana and her bondholders.

Which was read the first time, and ordered to a second reading.

Mr. Harding, chairman of the committee on enrolled bills, submitted the followng report:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor, for his approval and signature, bills of the Senate Nos. 42, 47, 62, 65, 70, 71, 77, 83, 86, 104, and 112.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have compared bills of the Senate Nos. 42, 62, 65, 70, 71, 77, 83, 86, 104, 112, and 47 with the engrossed bills, and find them correctly enrolled.

On motion,
The Senate adjourned.

2 O'clock, P. M.

The Senate assembled.

The following messages from the House were taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate, with one amendment:

No. 38. An act for the relief of the securities of John Plasters, formerly school commissioner of Miami county;

In which amendment of the House the concurrence of the Senate is respectfully requested.

Which amendment was concurred in by the Senate.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 273. An act to provide for a county library in the county of Pulaski, and for other purposes;

No. 274. An act to amend an act entitled, "An act in relation to the service of subpænas in chancery," approved January 25, 1847;

In which the concurrence of the Senate is respectfully requested.

Nos. 273 and 274, contained in the above message,
Were severally read and ordered to a second reading.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bills thereof:

No. 217. An act to abolish the office of Schol Commissioner in the county of St. Joseph, and to transfer the duties of said office to the county treasurer:

In which the concurrence of the Senate is respectfully requested.

No. 217, contained in the foregoing message, was read the first time, the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill thereof:

No. 347. An act to vacate an alley in Cambridge city:

In which the concurrence of the Senate is respectfully requested.

No. 347, contained in the foregoing message, was read the first time, the rules being suspended, the bill was read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am instructed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 249. An act to organize and regulate the Militia of the State of Indiana.

No. 277. An act to authorize the alteration of a certain road therein named.

No. 278. An act to improve the roads in the county of Switzerland.

No. 279. An act to authorize John G. Johnson, of Owen county, to correct a mistake in a certain deed.

No. 280. An act to change a certain State road therein named in the county of Jackson.

No. 281. An act to change a certain State road therein named in Jackson county.

No. 282. An act to locate a certain State road therein named.

No. 283. An act to incorporate the Council Grove Minute Men.

No. 286. An act to locate a State road in the counties of Clay and Owen.

No. 288. An act to locate a State road in the counties of Allen and Wells.

In which the concurrence of the Senate is respectfully requested.

No. 249, contained in the message, was read the first time.

Mr. Barbour moved to reject the bill.

Senators Berry and Howel demanded the ayes and noes.

Those who voted in the affimative are,

Messrs. Barbour, Chenowith, Coats, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hardin, Holloway, Houghton, Hubbard, Malott, Marsh, Millikin, Murphy, Murray, Osborn, Randall, Robinson, Rousseau, Simpson, Stewart Taber, Verbrike, Winchell, and Zenor—29.

Those who voted in the negative are,

Messrs. Berry, Cassatt, Coats, Day, English, Green, Hamrick, Handy, Henry, Howel, Huffstetter, James, Martin, McCarty, Miller, Milligan, Montgomery, Morrison, Orth, Read, and Waters—21.

The bill was rejected.

Nos. 277, 278, 279, 280, 283, 281, 282, 286, and 288, contained in the foregoing message, were severally read the first time, the rules being suspended, were read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Leave being granted,

Mr. Handy introduced

No. 283. An act to amend an act, entitled "an act declaratory of and to amend an act, entitled 'an act authorizing Joseph Quinn and James Norvell to erect toll bridges,'" approved January 19, 1846;

Which was read the first time, the rules being suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill and joint resolution thereof;

No. 103. An act in relation to the fees of the Treasurer of Owen county in certain cases.

No. 284. A joint resolution of thanks to Capt. John S. Simonson and Capt. Lemuel Ford;

In which the concurrence of the Senate is respectfully requested.

No. 103, contained in the message, was read the first time, the rules being suspended, the bill was read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

No. 284, contained in the message, was read the first time.

Mr. Winchell offered the following amendment:

"Amend so as to authorize the State Librarian to present the profile or picture mentioned in said joint resolution to the Roman Catholic Church at this place."

Mr. Millikin moved the previous question,
Which was seconded by the Senate;
The question being—"Will the Senate have the main question now put;"
Which was agreed to.
The question being—"Shall the joint resolution pass to a third reading,"
Senators Holloway and Howel demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Day, Davis, English, Ellis, Green, Hamrick, Handy, Hardin, Henry, Howel, Houghton, Hubbard, Huffstetter, James, Malott, Marsh, Martin, Miller, Milligan, Millikin, Montgomery, Morrison, Murray, Randall, Read, Rousseau, Stewart, Taber, Waters, and Zenor—33.

Those who voted in the negative are,

Messrs. Chenowith, Conduit, Conner, Cornett, Goodnow, Holloway, Murphy, Orth, Osborn, Robinson, Simpson, Verbrike, Winchell—13.

The joint resolution was ordered to a third reading.
The following message was received from the House, by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof:
No. 150. An act to incorporate the Clay Cotton Mills;
In which the concurrence of the Senate is respectfully requested.

No. 150, contained in the message, was read the first time, the rules suspended, and the bill read a second time.
Mr. Stewart moved to refer the bill to the committee on corporations.
Which was not so ordered.
Mr. Stewart offered the following amendment:
Sec. —. The stockholders shall be individually liable for the debts of the corporation.
Mr. Howel moved to lay the amendment on the table.
The ayes and noes were demanded by Senators Stewart and Barbour:

Those who voted in the affirmative are,

Messrs. Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Green, Hamrick, Holloway, Howel, Houghton, Hubbard, James, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Waters, Winchell, and Zenor—25.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, Handy, Hardin, Henry, Malott, Marsh, Martin, McCarty, Millikin, Milligan, Montgomery, Morrison, Randall, Read, Stewart, and Verbrike—20.

The amendment was laid on the table.
Mr. Henry offered the following amendment:
The stockholders of this corporation shall be liable, in their individual capacity, for the payment of the debts of such corporation, for an amount equal to the amount of stock they severally have subscribed, or hold in said corporation, over and above said stock.
Mr. Winchell moved the previous question;
On the seconding of which,
The ayes and noes were demanded by Senators Stewart and Barbour:

Those who voted in the affirmative are,

Messrs. Cassatt, Chenowith, Conduit, Conner, Ellis, Green, Hamrick, Holloway, Howel, Houghton, Hubbard, James, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Waters, Winchell, and Zenor—24.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, Handy, Hardin, Henry, Huffstetter, Malott, Marsh, Martin, McCarty, Milligan, Millikin, Morrison, Randall, Read, and Stewart—18.

The previous question was seconded.
The question being "shall the main question be now put?"
It was so ordered.
The question being "shall the bill be ordered to a third reading?"
The ayes and noes were demanded by Senators Stewart and McCarty:

Those who voted in the affirmative are,

Messrs. Cassatt, Chenowith, Conduit, Conner, Davis, Ellis, Green, Hamrick, Holloway, Howel, Houghton, Hubbard, James, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Waters, Winchell, and Zenor—25.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, Handy, Hardin, Henry, Huffstetter, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, and Stewart—19.

The bill was ordered to a third reading.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof:

No. 302. An act authorizing the State Librarian to purchase a portrait of General George Washington;

In which the concurrence of the Senate is respectfully requested.

No. 302. Contained in the message;

Was read the first time, and ordered to a second reading.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Se-Senate that the House have passed the following engrossed bill thereof, to-wit:

No. 358. An act providing for the payment of certain moneys to Justus C. Alvord, and Homer King, and for other purposes;

In which the concurrence of the Seuate is respectfully requested.

No. 358. Contained in the message;

Was read the first time.

The rules being suspended, the bill was read a second time.

Mr. Martin offered the following amendment:

Amend as follows:

Strike out section 2d, and insert the following:

That A. C. Alvord, of the county of Wabash, be, and he is hereby authorized and empowered as a commissioner, with full authority, to keep in repair, and rent the water power at and of said dam; to hold his office for two years; said power to be let for the benefit of the State.

Add the following additional sections:

SEC. —. It shall be the duty of said Alvord to make and execute a bond to the State of Indiana, in the penal sum of two thousand dollars, with good freehold security, to be approved by the Secretary of State, before he enters upon the duties of his office.

It shall be his duty, further, after entering upon the duties of his said office, to advertise for the space of sixty days before the time

set for the letting of said water power, the day that said power will be let, in the Lagrange Democrat and the Fort Wayne Sentinel, and to let the same to the highest bidder, at a public bidding.

SEC. —. Said commissioner shall receive all monies arising from the letting of said water power, and shall make an annual settlement with the Treasurer of State, and shall pay over at such settlement, all moneys received by him for the rent of such water power, after deducting the amount necessarily expended by him in making repairs, and keeping in good order said dam.

On motion by Mr. Millikin,

The bill and amendments were referred to the committee on claims.

On motion by Mr. Winchell,

Leave of absence was granted to Mr. Marsh, for the remainder of the session.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bills of the Senate:

No. 47. An act to incorporate the Rushville and Lawrenceburgh Railroad company;

No. 42. An act to authorize the sale of school lands in Jay county;

No. 62. An act for the benefit of S. E. Warder and George Greene;

No. 65. An act to vacate a portion of an addition to the town of Lafayette;

No. 70. An act for the relief of the heirs of Anthony Schnetz;

No. 71. An act to authorize Matthias Peterson to convey water into the city of Lafayette;

No. 77. An act to incorporate the Madison and Brownstown Turnpike company;

No. 83. An act to change the name of the town of Springfield, in Whitley county, to the name of Cherryvalley;

No. 86. An act authorizing Peter King to build a mill dam across the Mississinewa river, in Wabash county;

No. 104. An act authorizing Thomas Ruble to build a mill dam across the Mississinewa river;

No. 112. An act to amend an act entitled "an act to incorporate the Knightstown and Shelbyville Railroad Company;"

Also the following enrolled bills of the House:

No. 10. An act to change the time of holding the probate courts in the county of Daviess;

No. 60. An act to incorporate the Madison and Brownstown

Turnpike road company, by way of Kent, in the county of Jefferson, and Wooster, in the county of Scott;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon, the President affixed his signature to said enrolled bills;

And they were delivered to the committee on enrolled bills, to present to His Excellency, the Governor, for his approval and signature.

On motion by Mr. Barbour,

Bill No. 186 was taken from the table.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

The House of Representatives have instructed me to inform the Senate that the House has concurred in the amendment of the Senate, to the engrossed amendment of the House, to Senate bill No. 27, entitled "An act for the benefit of the New Albany and Salem Railroad Company."

Mr. Morrison offered the following resolution:

WHEREAS, the finances of the State have not hitherto admitted of the redemption of any of the treasury notes, in cash or otherwise, except as they have been returned to the treasury for State dues; and whereas, it was provided by an act of 1840, entitled "An act for the immediate relief of contractors and others engaged on the public works," to call in, by notice, a portion of the outstanding treasury notes, and that "such treasury notes as shall not be presented for payment at the treasury within sixty days after such notice, given in the public papers printed at the seat of government, shall cease to draw interest;" and whereas, many inquries in reference to the cash redemption of this scrip have been made by citizens of other States, as well as our own; and whereas, it is the interest, as well as the duty of this State, to hasten the redemption of this scrip as fast as possible, having due regard to the liquidation of her foreign public debt as provided for by law; and whereas, we have abundant evidence to assure us that a great majority of the citizens of Indiana are anxious to meet our public engagements; therefore,

Resolved, That the Treasurer of State be requested to communicate to the Senate, with as little delay as possible, the amount of treasury notes outstanding on the first day of February, 1848, and what means may be in the treasury, on the first day of May next, applicable to the redemption of the same.

Which was adopted.

On motion,

The Senate adjourned.

SATURDAY MORNING, FEBRUARY 5, 1848.

The Senate assembled.

Reading the journal dispensed with.

On motion by Mr. English,

Leave of absence was granted to Mr. Walpole until Monday next.

The President laid before the Senate the following communication from his Excellency the Governor; which,

On motion by Mr. Ellis,

Was referred to the joint committee on the State library.

To the President of the Senate:

Herewith is transmitted a communication addressed to me by M. Vattemare, who has devoted a large portion of his life and means in originating and putting into successful and growing operation a system of international exchanges of a literary and scientific character.

In compliance with the spirit of that communication, I also transmit the printed copies of documents accompanying it, published by order of the States of Maine and New York respectively. On requesting that they be laid before the body over which you preside, I desire to bear my testimony in favor of a system—the offspring of the generous and philanthropic exertions of this distinguished son of France, our early and attached ally—and to recommend to the General Assembly the adoption, at the present session, of measures in accordance with his suggestions.

In view of the many advantages resulting from such a system, in the promotion of amity and good will among the great brotherhood of civilized nations, in the early diffusion of the wealth of intellect, the accumulations of science, and the creations of genius, I cannot suffer myself to doubt that the Legislature will not hesitate to incur the trivial expense necessary for this laudable object.

I am very respectfully,

Your obedient servant,

JAMES WHITCOMB.

[Copy.]

NEW YORK, December 25, 1847.

To his Excellency, J. WHITCOMB,
Governor of the State of Indiana:

SIR: I have the honor of informing your Excellency that among the collections I brought out with me from France, there were a good number of valuable works destined for your State, which I have been requested to present to the General Assembly in the name of the two Legislative Chambers, of the Secretaries of the Departments of Justice, Marine, Interior, Commerce, Public Instruction, and Public Works of France, as well as in behalf of the Common Council of the city of Paris, the Academy of Moral and Political Sciences, in return for collections of the legislative documents published by order of both Houses, and transmitted to me in accordance with a resolve passed by the General Assembly January the 15th, 1844.

The three large cases containing these presents will be forwarded to you on Monday next, December 27th. Among the number, you will find some of these works particularly worthy your attention, such as the large quarto edition of the Classics, the great Scientific Exploring Expedition in Persia, ordered by the French Government, in 1843–1844, the Monumental Statistics of Paris, showing the most splendid religious and civil edifices erected in this metropolis from the time of the Romans to the 18th century, besides a collection of the best works relative to sciences, arts, agriculture, mechanics, commerce, &c.

On this my second visit to America, I have so far been enabled to visit only the States of Maine, Vermont and New York; my purpose, however, is to visit the State of Indiana. But I find it impossible to fix the time of my arrival, not knowing how long I may be detained at Washington, where my mission at present calls me. My greatest desire would be to be present during the session of the Legislature of your State, to offer them, in person, these tokens of our brotherly feelings, and to lay before them my views on the subject, and ask of them their co-operation. But inasmuch as this will probably be impossible, I take the liberty of forwarding, with this communication, printed copies of documents published by order of the States of Maine and New York respectively, (those of Vermont not having yet been transmitted to me.)

By reference to these your Excellency will have the subject fully before you; and it is my desire that whatever shall therein be found applicable to the State of Indiana shall be considered as directly presented to the Legislature by me in person; and I therefore pray your Excellency to submit the same to the Legislature, at the same time expressing my ardent hope that the Legislature will consider the subject worthy their early attention, and that such

measures may be taken by them as may result in the appointment, by them, of the Executive, or some committee, or other agent or agents, who, in case of my arrival during the recess of the Legislature, may be authorized to take such measures in reference to this subject as may enable me to make arrangements similar to those I have made with other States, in order to secure your State the benefits promised by the system of exchanges. Should such arrangements be made, I should be most happy to receive copies of duplicates of any works scientific, literary, judicial, objects of natural history, or others, under the control of the State, which I may present to France or the several European authorities or institutions; and to adopt such other measures as shall enable the State of Indiana to join the noble brotherhood of those who desire the diffusion of useful knowledge, the improvement of the human race, and the encouragement of friendly relations between the civilized nations of the two hemispheres, which it is the great object of the system of exchanges to advance and secure.

Begging the favor of your Excellency to present the accompanying documents and collections with my most profound respects to the General Assembly, with such recommendations as may seem to you proper to facilitate and effect the great object in view,

I have the honor to be, with profound respect,

Your Excellency's obedient servant,

ALEXANDRE VATTEMARE.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Cassatt,

A petition of the citizens of the town of Springfield, in Wabash county, Indiana, to change the name of said town to that of Somersett; which,

On motion by Mr. Cassatt,

Was referred to a select committee.

Senators Cassatt, Taber, and Waters were appointed said committee.

By Mr. Cassatt,

A petition of sundry citizens of Howard, Miami, and Wabash counties, relative to establishing a State road in said counties; which,

On motion by Mr. Cassatt,

Was referred to a select committee.

Senators Cassatt, Taber, and Waters were appointed said committee.

By Mr. Conner,

A memorial of John G. Burns, relative to the law regulating the marriage contract; which,

On motion by Mr. Conner,

Was referred to the judiciary committee.

By Mr. Murray,

A petition of the Oriental Evanic Order of Brothers, in the county of Hancock; which,

On motion by Mr. Murray,

Was referred to a select committee.

Senators Murray, Cornett, Holloway, Stewart, and Orth were appointed said committee.

Mr. Morrison, chairman of the committee on finance, made the following report:

MR. PRESIDENT:

The committee to whom was referred bill of the Senate No. 273, entitled "An act supplementary to an act entitled, 'an act to amend an act entitled, 'an act for the relief of purchasers of canal lands,' approved January 19, 1845," approved December 28, 1846, have had the same, according to order, under consideration, and directed me to report the bill back to the Senate, and respectfully recommend its passage.

Which bill was ordered to be engrossed for a third reading.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate, without amendment:

No. 196. An act for the relief of J. & E. L. Beard.

Mr. Read, chairman of the committee on federal relations, submitted the following report:

MR. PRESIDENT:

The committee on federal relations, to which was referred a joint resolution relative to a harbor at Michigan City, have had the same under their consideration, and a majority of said committee have directed me to report the same back to the Senate, and recommend its passage, and ask to be discharged from the further consideration thereof.

Mr. Day offered the following amendment:

After the words 'Michigan City," insert the words "St. Joseph and the St. Joseph river."

Which amendment was adopted.

Mr. Millikin moved to lay the joint resolution on the table.

Senators Osborn and Robinson demanded the ayes and noes:

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, English, Green, Handy, Hardin, Howel, Huffstetter, Malott, Miller, Millikin, Morrison, Read—14.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduitt, Conner, Cornett, Day, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, James, Martin, Montgomery, Murphy, Murray, Osborn, Randall, Robinson, Rousseau, Simpson, Taber, Verbrike, Waters, Winchell, Zenor—29.

The joint resolution was not laid on the table.

Mr. Orth was present, and excused from voting, on account of the absence of Mr. McCarty, who had leave of absence and returned home, with whom he had with the consent of the Senate, agreed not to vote on party questions.

Mr. Davis offered the following amendment:

Amend the preamble and resolution, by inserting in the proper place the following words: "The Ohio and Mississippi rivers."

Mr. Hamrick moved to amend by inserting after the words "Ohio and Mississippi rivers," "and their tributaries."

Mr. Barbour moved to amend by inserting "White river."

On motion by Mr. Ellis,

The amendment offered by Mr. Barbour, was laid on the table.

Mr. Miller moved to indefinitely postpone the joint resolution.

Messrs. Stewart and Miller demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, Miller, Millikin, Randall, Read, Waters, —15.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Day, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Malott, Martin, Montgomery, Morrison, Murphy, Murray, Osborn, Robinson, Rousseau, Simpson, Verbrike, Winchell, Zenor—27.

The joint resolution was not postponed.

Mr. Orth was excused from voting.

Mr. Barbour moved to postpone the further consideration of the joint resolution until Tuesday the 15th of February next.

Which was not agreed to.

The question being on the engrossment of the joint resolution.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Day, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Martin, Montgomery, Murphy, Osborn, Robinson, Rousseau, Simpson, Verbrike, Winchell, Zenor—25.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, Malott, Millikin, Morrison, Murray, Randall, Read, Waters—17.

Mr. Orth was present and excused from voting.

The joint resolution was ordered to be engrossed for a third reading.

The following message was received from the House of Representatives, by Mr. Ward their clerk:

MR. PRESIDENT:

I am instructed to inform the Senate, that the House have passed engrossed bill of the Senate No. 165, entitled "an act to amend an act to incorporate the Buffalo and Mississippi rail road company," approved February 6th, 1835, and the several acts amendatory thereto, with one amendment; in which the concurrence of the Senate is respectfully requested.

No. 165, contained in the message was taken up.

The question being on concurring in the engrossed amendment of the House;

Which amendment was not concurred in by the Senate.

Mr. Berry, chairman of the committee on roads, submitted the following report:

MR. PRESIDENT:

The committee on roads to whom was referred bill of the House No. 53, entitled "an act to locate a State road therein named," have had said bill under consideration, and have directed me to report the same back to the Senate and recommend its indefinite postponement;

Which report was concurred in by the Senate, and the bill indefinitely postponed.

Mr. Murray submitted the following report from a select committee:

MR. PRESIDENT:

The committee to whom was referred the petition of sundry citizens of Ripley county, have had the same under consideration, and direct me to report, that inasmuch as the military bill, relating to the prayer of the petitioners, has been rejected, the committee ask to be discharged from the further consideration of the subject.

Ordered, That the Senate concur in the report.

Mr. Malott submitted the following report from the committee on roads:

MR. PRESIDENT:

The committee on roads to whom was referred bill of the House of Representatives No. 28, have had the same under consideration, and directed me to report the same back to the Senate, with one amendment, and when so amended recommend its passage;

Amend further section "43" chapter 16 of the Revised Statutes of 1843, by striking out the word "and" in the second line from the bottom of said section, immediately preceding the word "opening," proposed to be stricken out by the bill, and insert the same in its proper place in said bill.

Which amendment was concurred in by the Senate.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Millikan, chairman of the committee on corporations submitted the following report;

MR. PRESIDENT:

The committee on corporations to whom was referred bill of the Senate No. 224, incorporating the Fort Wayne and Goshen turnpike company, have directed me to report the same back to the Senate with one amendment.

Strike out the word "State," in the sixth section.

Which amendment was concurred in by the Senate.

The bill was ordered to be engrossed for a third reading.

Mr. Hubbard submitted the following report from the committee on corporations:

MR. PRESIDENT:

The committee on corporations to which was referred bill of the Senate No. 270, have had the same under consideration, and directed me to report the same back to the Senate for its action.

Mr. Millikin moved to lay the bill on the table;
Which was not so ordered.

On motion by Mr. Ellis,
The bill was referred to a select committee.
Messrs. Robinson, Millikin, Hardin, Hubbard, Handy, Stewart, Barbour, Berry, Henry, Ellis, and Rousseau, were appointed said committee.

Mr. Day submitted the following report from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred the petition of Mary Ann Etherton, praying for a bill of divorce from her husband, David Etherton, have had the same under consideration, and directed me to report the following bill, and recommend its passage, viz:

No. 283. A bill dissolving the banns of matrimony between David Etherton and Mary Ann Etherton.

Which was read the first time and ordered to a second reading.

Mr. Cassatt submitted the following report from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred the petition of sundry citizens of Wabash county, praying for a change in the name of the town of Springfield, in said county, have had the subject under consideration, and directed me to report the following bill, in accordance with the wishes of said petitioners, &c., and recommend its passage:

No. 284. A bill to change the name of the town of Springfield, in Wabash county.

Which was read the first time and ordered to a second reading.

On motion by Mr. Murphy,

Resolved, That His Excellency, the Governor, be respectfully requested to lay before the Senate the protests of the bondholders of the State of Indiana, filed in his office by M. G. Bright, Agent of State.

By Mr. Berry,
No. 285. A bill for the benefit of the reserved township of seminary lands in Monroe county;
Which was read the first time.
The rules being suspended, the bill was read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

By Mr. Cornett,
No. 286. A bill to regulate the testimony in certain cases in the conveyance of real estate;
Which was read the first time.
The rules being suspended, the bill was read a second time and referred to the judiciary committee.
By Mr. Davis,
No. 277. An act in relation to the New Albany and Vincennes Turnpike Road;
Which was read the first time.
The rules being suspended, the bill was read a second time and referred to a select committee of
Messrs. Davis, Ellis, Zenor, Houghton, Morrison, and Huffstetter.
By Mr. Hubbard,
No. 288. A bill to correct a mistake in the commissons of justices of the peace in Hanover township, Shelby county;
Which was read the first time.
The rules being suspended, the bill was read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

By Mr. Randall,
No. 289. A bill to authorize the board of commissioners of Allen county to sell certain real estate therein specified;
Which was read the first time.
The rules being suspended, the bill was read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

By Mr. Robinson,
No. 290. A bill to fix the salary of the trustees of the Wabash and Erie canal;
Which was read the first time.
The rules being suspended, the bill was read a second time and laid on the table.
By Mr. English,
No. 291. A bill to authorize the administrator of John Fischlie,

late of Jackson county, to sell real estate therein named, in said county;

Which was read the first time.

The rules being suspended, the bill was read a second time, and referred to the judiciary committee.

On motion,

The Senate adjourned.

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2 o'clock P. M.

The Senate assembled.

The previous order of business was suspended.

Mr. Robinson submitted the following report from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred bill of the Senate No. 270, entitled an act to incorporate the Cincinnati and St. Louis Rail Road Company, have, according to order, had the same under consideration, and have directed me to report the same back to the Senate without amendment, for the action of the Senate.

Mr. Millikin moved to lay the bill on table.

Senators Robinson and Handy demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Cornett, Goodnow, Hamrick, Holloway, Howel, Houghton, Huffstetter, Malott, Miller, Millikin, Morrison, Murphy, Murray, Orth, Rousseau, Simpson, Stewart, Taber, Waters—22.

Those who voted in the negative are,

Messrs. Barbour, Chenowith, Coats, Conner, Day, Davis, English, Handy, Hardin, Hubbard, James, Martin, Montgomery, Randall, Read, Robinson, Verbrike, Winchell, Zenor—19.

The bill was laid on table.

On motion by Mr. Houghton,

Leave of absence was granted Mr. Conduit until Monday next.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled bill of the Senate:

No. 8. An act to amend the charter of the Madison and Napoleon Turnpike Company;

No. 16. An act to incorporate Eel River Manufacturing Company at Logansport;

No. 24. An act to incorporate the Monticello Hydraulic Company;

No. 72. An act to incorporte the Fairfield Hydraulic Company;

No. 50. An act in relation to the County Seminary Fund;

No. 51. An act to incorporate the Madison Female College;

No. 53. An act to incorporate the Crawfordsville and Indianapolis Railroad Company;

No. 54. An act to repeal the second section of an act to vacate certain alleys in the town of Bloomfield;

No. 84. An act for the relief of Michael Headakin and others;

No. 89. An act to incorporate the French Lick Steam Mill Company;

No. 103. An act in relation to the suit of the Vincennes University against the State of Indiana;

No. 105. An act to authorize the Commissioners of the county of Cass to employ a physician for the paupers of said county;

No 106. An act to change the name of the county seat of Martin county;

No 107. An act authorizing the sale of school section in township 25 north, range 2 west, Carroll county;

No. 113. An act abolishing the office of School Commissioner in the county of Putnam;

No. 118. An act to incorporate the Ripley County Medical Society;

No. 127. An act to amend an act entitled "an act to reduce the tolls on the New Albany and Vincennes road and for other purposes;"

No. 128. A act to correct a misprint in an act entitled "an act to legalize the election of trustees for the corporation of the town of Greensboro in Henry county," approved January 14, 1847;

No. 133. An act to authorize the county of Laporte, to borrow money and increase the tax;

No. 135. An act for the relief of John Boone.

No. 137. An act incorporating the town of Huntington;

No. 140. An act to incorporate the Portland and Ohio Railroad Company;

No. 142. An act authorizing the commissioners of Lagrange coun-

ty to sell the building erected for the purpose of a county seminary in said county;

No. 205. An act for the relief of John Kearney, and to authorize him to sell certain real estate;

No. 208. An act to authorize the erection of a certain Bridge in Martin county;

No. 210. An act to legalize the acts of the Auditor of Steuben county for the year A. D. 1847;

No. 236. An act to repeal an act entitled "an act to repeal an act incorporating the town of Greensburgh in Decatur county, Indiana," approved January 28, 1843, and for other purposes;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bills, and they were accordingly delivered to the committee on enrolled bills to present to his Excellency the Governor, for his approval and signature.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have compared the following enrolled bills of the Senate.

Nos. 24, 72, 236, 113, 140, 106, 135, 127, 210, 205, 8, 107, 142, 51, 133, 128, 54, 50, 84, 53, 103, 89, 118, 16, 105, 208, 137, and have corrected them to accord with the engrossed bills.

On motion by Mr. Barbour,

Bills of the Senate on second reading were taken up.

No. 20. An act providing for the republication of certain laws therein named;

Was read a second time and recommitted to the judiciary committee.

No. 222. A bill relating to the practice of the law;

Was read a second time and referred to the judiciary committee.

No. 226. A joint resolution in regard to General Zachary Taylor;

Was read a second time.

Mr. Morrison offered the following amendment:

And be it further resolved, That great injustice has been done to the character of the State of Indiana, by the official report of Gen. Taylor of the battle of Buena Vista, and that the errors therein stated have been made known to him and acknowledged in private conversation, and we call upon him to reiterate or acknowledge the error.

Mr. Hamrick moved to lay the amendment on the table.

Messrs. Barbour and Stewart demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, James, Montgomery, Murphy, Murray, Osborn, Robinson, Rousseau, Simpson, Verbrike, Winchell, and Zenor—23.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, English, Handy, Hardin, Henry, Huffstetter, Malott, Martin, Miller, Millikin, Morrison, Randall, Read, Stewart, and Taber—18.

The amendment was laid on the table.

Messrs. Orth and Waters were excused from voting by consent of the Senate.

Mr. Stewart offered the following amendment:

Strike out the first resolution from the resolving clause, and insert the following:

By the Senate and House of Representatives of the State of Indiana, That the thanks of the Legislature be tendered to Generals Taylor, Scott, Lane, Worth, Twiggs, Butler, Shields, Davis, and the brave officers and men who fought and bled on the battle fields of Mexico, in defence of the rights of their country.

Mr. Rousseau moved to lay the amendment on the table.

Mr. Barbour moved to amend by adding the joint resolution also.

A division of the question being called for,

The question was, on laying the joint resolution on the table.

Messrs. Stewart and Hardin demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Day, Handy, Hardin, Henry, Holloway, Huffstetter, Malott, Martin, Miller, Millikin, Morrison, Randall Read, and Taber—17.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Conner, Cornett, Davis, Ellis, English, Goodnow, Green, Hamrick, Howel, Houghton, Hubbard, James, Montgomery, Murphy, Murray, Osborn, Robinson, Rousseau, Simpson, Stewart, Verbrike, Winchell, and Zenor—26.

The joint resolution was not laid on the table,

Mr. Rousseau moved to lay the amendment on the table.

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, James, Montgomery, Murphy, Murray, Osborn, Robinson, Rousseau, Simpson, Verbrike, Winchell, Zenor—23.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, Malott, Martin, Miller, Millikin, Morrison, Read, Stewart, Taber—19.

The amendment was laid on the table.

Mr. Henry offered the following amendment:

Amend by striking out the words "because we are satisfied," in the 3d resolution, and insert in the place thereof the words "because we hope."

Mr. Beard moved the previous question;

On the seconding of which,

Messrs. Stewart and Barbour demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conner, Cornett Davis, Ellis, Goodnow, Hamrick, Holloway, Howel, Hubbard, James, Montgomery, Murphy, Murray, Osborn, Robinson, Rousseau, Simpson, Verbrike, Winchell, Zenor—23.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Houghton, Huffstetter, Malott, Martin, Miller, Millikin, Morrison, Read, Stewart, Taber—20.

Which was seconded by the Senate.

Mr. Martin moved the Senate adjourn;

Which was not agreed to.

The question then being, "will the Senate have the main question now put?"

Which was agreed to.

The question recurring on the engrossment of the joint resolution,

Messrs. Handy and Murphy demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conner, Cornett, Davis, English, Ellis, Goodnow, Green, Hamrick, Howel, Houghton, Hubbard, James, Montgomery, Murphy, Murray, Osborn, Reed, Robinson, Rousseau, Simpson, Stewart, Verbrike, Zenor—27.

Those who voted in the negative are,

Messrs. Barbour, Coats, Handy, Hardin, Henry, Huffstetter, Malott, Martin, Miller, Millikin, Morrison, Randall, Taber—13.

The joint resolution was ordered to be engrossed for a third reading.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House recedes from their amendment to bill of the Senate No. 164, entitled "An act to amend an act entitled an act to incorporate the Buffalo and Mississippi Railroad company," approved Feb. 6, 1835, and the several acts amendatory thereto.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have compared bill of the Senate No. 196, with the engrossed bill, and find it correctly enrolled.

On motion,

The Senate adjourned.

MONDAY MORNING, FEBRUARY 7, 1848.

The Senate assembled.

The reading of the journal was dispensed with.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Conner:

A remonstrance of sundry citizens of Boone county in reference to the Covington and Strawtown State road in said county; which,

On motion by Mr. Conner,

Was laid on the table.

By Mr. Milligan:

A petition and remonstrance of many citizens of Blackford county on the subject of repealing a law of last winter;

Was referred to a select committee of Senators Milligan, Martin, and Randall.

Mr. Murphy asked leave to withdraw from the files of the Senate a petition relative to the sale of spirituous liquors in Henry township, Henry county, Indiana;

Which was granted.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House have passed the following engrossed bill of the Senate, viz:

No. 90. An act to incorporate the Ohio and Mississippi Railroad company,

With three amendments in which the concurrence of the Senate is respectfully requested.

Which amendments were concurred in by the Senate.

Mr. Goodnow made the following report from the committee on finance:

MR. PRESIDENT:

The committee on finance to whom was referred a resolution of the Senate, directing an enquiry into the expediency of increasing the salary of the judges of the supreme and circuit courts, have, according to order, had the same under consideration, and directed me to report that in the opinion of the committee it is inexpedient to legislate on the subject;

Which report was concurred in by the Senate.

Mr. Morrison, chairman of the committe on finance, submitted the following report:

MR. PRESIDENT:

The committee on finance, to whom was referred a resolution of the Senate instructing them to report a bill "reducing the salaries of the trustees of the Wabash and Erie canal," &c., have had the same under consideration, and directed me to report that there is a bill, in accordance with the resolution now pending before the Senate, the passage of which they respectfully recommend, and ask to be discharged from the further consideration thereof.

Mr. Barbour made the following report from the committee on claims:

MR. PRESIDENT:

The committee on claims to whom was referred the petition of James C. Rush, have, according to order, had the same under consideration, and have directed me to report that the committe are of opinion that said claim is not well founded and ought not to be allowed; your committee have, therefore, directed me to report said petition back to the Senate and recommend that it be laid on the table, and respectfully ask to be discharged from the further consideration thereof;

Which report was concurred in by the Senate.

Mr. Millikin made the following report from the committee on corporations:

MR. PRESIDENT:

The committee on corporations to whom was referred bill of the Senate No. 191, to amend the charter of the Terre Haute and Richmond rail road company, have directed me to report it back to the Senate and recommend that it be laid on the table;

Which report was concurred in by the Senate.

Mr. Randall made the following report from the committee on canals and internal improvements:

MR. PRESIDENT:

The committee on canals and internal improvements, to whom was referred Senate bill No. 215, has had the same under consideration, and have directed me to report the same back with the following amendments, and upon the concurrence of the Senate in the same to recommend its passage.

Amend by inserting after the word "*county*" in the first section, "until the expiration of his present lease."

Add the following section:

SEC. —. Before any rights shall accrue to said Tener, under the provisions of this act, he shall execute a bond payable to the State of Indiana, conditioned to perform all the duties required of him by the third section of this act, which bond shall be for such sum and with such sureties as shall be approved of by the Governor, and when executed shall be filed in the office of the Secretary of State;

Which amendments were concurred in by the Senate.

The bill ordered to be engrossed for a third reading.

Mr. Montgomery submitted the following report from the committee on the State Library:

MR. PRESIDENT:

The committee on the State Library, to whom was referred the

report of John B. Dillon, State Librarian, have had that subject under consideration, and have directed me to report that there is no legislation required on that subject, and ask to be discharged from any further consideration of the same.

Your committee would, however, avail themselves of the present opportunity to express their entire approbation of the able and efficient manner in which the present Librarian continues to discharge the various duties of his office—alike advantageous to the State and honorable to himself. Your committee would, therefore, recommend this officer to the favorable consideration and patronage of the Senate;

Which report was concurred in by the Senate.

Mr. Hardin, from the committee on enrolled bills, made the following reports:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor for his approval and signature bills of the Senate Nos. 24, 72, 236, 113, 140, 106, 135, 127, 210, 205, 8, 107, 142, 51, 133, 128, 54, 50, 84, 53, 103, 89, 118, 16, 105, 208, and 137.

MR. PRESIDENT:

The committee on enrolled bills did, on Saturday, the 5th day of February, present to the Governor for his approval and signature a bill of the Senate No. 196.

MR. PRESIDENT:

The committee on enrolled bills have compared bills of the Senate Nos. 108, 115, 116, 134, 119, 129, 100, 126, 143, 131, with the engrossed bills, and find them correctly enrolled.

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor for his approval and signature, bills of the House Nos. 71, 347, 277, 83, 67, 61, 16, 75, 68.

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor for his approval and signature, bills of the Senate Nos. 108, 115, 116, 134, 119, 129, 100, 126, 143, and 131.

Mr. Cassatt made the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of sundry citizens of Howard, Miami, and Wabash counties, asking the location of a certain State road, have considered the subject and instructed me to report the following bill and recommend its passage:

No. 292. A bill to locate a State road therein named;

Was read the first time and passed to a second reading.

Mr. Randall made the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred House bill No. 40, relating to cranberry marshes, have had the same under consideration, and have directed me to report the same back with the following amendment:

Strike out all after the enacting clause and insert the following amendment, and upon the concurrence of the Senate in said amendment to recommend its passage:

That hereafter no person shall enter upon the lands of another, or on the public lands, in the County of Allen, and gather Cranberries with intent to convert the same to his own use, without the consent of the owner or owners thereof;

Provided, however, That this act shall not extend to cases where Cranberries are gathered from public lands or the lands of non-residents of said county of Allen, after the first day of October in each year.

SEC. 2. Any person violating the provisions of the first section of this act shall be liable to an indictment, and upon conviction thereof may be fined in any sum not exceeding fifty dollars.

SEC. 3. This act shall be in force from and after its passage;

Which amendments were concurred in by the Senate.

Mr. Green made the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of the citizens of the town of Patriot, asking for an act to incorporate said town, have had the same under consideration, and directed me to report the following bill and recommend its passage:

No. 293. A bill to incorporate the town of Patriot, in Switzerland county, Indiana;

Was read the first time, and the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House to inform the Senate, that the House have passed the following engrossed bill thereof:

No. 344. An act for the more speedy completion of a portion of the Indiana Hospital for the Insane.

In which the concurrence of the Senate is respectfully requested.

Which bill was read the first time, the rules suspended, the bill read a second time and referred to the committee on the benevolent institutions of the State.

On motion by Mr. Cassatt,

Resolved, That the committee on the judiciary be instructed to institute an enquiry to discover whether the trustees of the Wabash and Erie Canal, or any other person, acting under their authority, have been buying or selling (either directly or indirectly) any canal land scrip, contrary to the provisions of the act entitled "An act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie canal to Evansville," with power to send for persons or papers, and said committee report to the Senate at an early day the result of such enquiry.

On motion by Mr. Henry,

Resolved, That the State Printer be requested to inform the Senate the reason why the report of the Superintendent of Common Schools has not been printed and sent to the Senate before this time.

Mr. Stewart asked leave to withdraw from the files of the Senate a petition relative to opening streets in the city of Indianapolis;

Which was granted.

The following messages were received from the House of Representatives, by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following bills thereof:

No. 347. An act to vacate an alley in Cambridge City;

No. 277. An act to authorize the alteration of a certain road therein named;

No. 83. An act for the relief of James Hardin of Warrick county;

No. 67. An act to incorporate the Attica and Warren county Bridge Company;

No. 61. An act to authorize the trustees of school district number five, in township thirty-seven, north of range three east, in St. Joseph county to levy a tax to finish a school house;

No. 16. An act to amend an act compelling speculators to pay a road tax equal to that paid by actual settlers;

No. 75. An act relating to road tax in Perry county;

No. 68. An act leaving it discretionary with the board of commissioners of Delaware county, what compensation they shall allow supervisors of roads for making their returns.

No. 71. An act to amend the 22d section of an act of the Revised Statutes, entitled "an act for the relief of the poor;"

Which I am directed to bring to the Senate for the signature of the President thereof.

Thereupon the President affixed his signature to the enrolled bills.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following bills of the Senate:

No. 108. An act in relation to the town of Carrollton in Carroll county;

No. 131. An act to amend an act to revive an act entitled "an act to incorporate the city of Logansport," approved January 13th, 1845;

No. 116. An act to locate a State road in Posey and Vanderburg counties;

No. 115. A joint resolution on the subject of locating land warrants;

No. 134. An act for the benefit of the recorder of Monroe county;

No. 143. An act to incorporate the Milton and Waterloo Turnpike Company;

No. 109. An act to amend the record of the town of Huntington;

No. 126. An act to vacate a road in Laporte county, and for the the relief of O. P. Ludlow;

No. 129. An act to authorize Isaac Heftner and others to build a mill-dam across the Salmonia river;

No. 119. An act to improve the Huntington and Goshen State road.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed engrossed bill of the Senate entitled:

No. 139. An act for the relief of A. G. Selman;

Without amendment.

On motion by Mr. Beard,

No. 240. An act to incorporate the Tippecanoe Bridge Company;

Was taken from the table and read second and third times and past.

Ordered, That the Secretary inform the House thereof.

BILLS INTRODUCED.

By Mr. Berry,

No. 294. A bill to incorporate the town of Bloomington;

Which was read the first time,

The rules being suspended the bill was read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Robinson moved to take bill of the Senate No. 270, a bill to incorporate the Cincinnati and St. Louis Rail Road Company, from the table.

Senators Robinson and Handy demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Cassatt, Chenowith, Coats, Conner, Day, Davis, English, Ellis, Handy, Hardin, Holloway, Howel, Houghton, Hubbard, Huffstetter, Malott, Martin, Milligan, Montgomery, Murray, Orth, Osborn, Randall, Read, Robinson, Rousseau, Simpson, Stewart, Taber, Verbrike, Waters, Winchell, Zenor—35.

Those who voted in the negative are,

Messrs. Berry, Cornett, Goodnow, Green, Hamrick, Henry, Miller, Millikin, Morrison—9.

The bill was taken up.

Mr. Beard moved to amend as follows:

Amend the 1st section by inserting the names of Archibald Alexander and Morton Green, of Hendricks county, Isaac Elston and John Wilson, of Montgomery county, David Rawls and Joseph Ristone, of Fountain county, Joseph Foster, of Warren county, Thomas Brown and John Gibson, of Boone county.

Which was adopted.

Mr. Orth moved to amend by adding the names of John Perdue, Henry L. Ellsworth, and Isaac L. Beard, of Tippecanoe county;

Which was adopted.

Mr. Osborn moved to amend by adding the names of Solon Robinson and Alexander McDonald, of the county of Laporte;

Which was adopted.

Mr. Robinson moved to amend the bill by adding the name of Israel S. Gibson, Samuel Bryan, John F. Sternes, John W. Moody, and James Ardery, of Decatur county.

Which was adopted.

Mr. Randall moved to amend the bill by adding the names of Samuel Hannah, H. McCulloh, and Wm. G. Ewing, of Allen county;

Which was adopted.

Mr. Hubbard moved to amend the bill by adding the names of Horatio G. Sexton, Archibald Kennedy, James M. Ross, Daniel Wilson, of Rush county, and Daniel Mason, Robert M. Cooper, and James Miner, of Henry county;

Which was adopted.

Mr. Simpson moved to amend the bill by adding the names of Samuel W. Parker, Wm. Stewart, and Miner Meeker, of Fayette county, and Daniel Trimbly and Wm. Youse, of Union county;

Which was adopted.

Mr. Davis moved to amend the bill by adding the names of Randall Crawford, John Brown, and William M. Weir, of Floyd county, and James G. Read and Wm. G. Armstrong, of Clark county;

Which was adopted.

Mr. Barbour moved to amend by adding the names of Lewis F. Coppersmith, John F. Jones, Aquila Jones, John M. Guin, Charles O. Alden, and Thomas G. Lee, of Bartholomew county;

Which was adopted.

Mr. Stewart moved to amend by adding the names of S. W. Norris, James Blake, E. J. Peck, S. A. Fletcher, S. V. B. Noel, John D. Defrees, and John Douglass, of Marion county;

Which was adopted.

Mr. Waters moved to amend by adding the names of George W. Turner, and John C. Ball of Porter county, Jacob S. Carter and John B. Niles of Laporte county, Samuel C. Sample and Norman Eddy of St. Joseph county, Ebenezar M. Chamberlain and Joseph H. Defrees of Elkhart county, Read Case and John Granthan of Carroll connty, Jacob Anderson and S. D. Maxwell of Clinton county.

Mr. Handy moved the previous question;

Which was seconded by the Senate.

The question then being on the engrossment of the bill;

Messrs. Millikin and Handy demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Coats, Conner, Day, Davis, English, Handy, Hardin, Holloway, Howel, Houghton, Hubbard, Martin, Milligan, Montgomery, Murphy, Orth, Randall, Read, Robinson, Simpson, Taber, Verbrike, Waters, Winchell, Zenor—28.

Those who voted in the negative are,

Messrs. Barbour, Berry, Cornett, Ellis, Goodnow, Green, Hamrick, Henry, Huffstetter, Malott, Miller, Millikin, Morrison, Osborn, Rousseau, Stewart,—16.

The bill was ordered to be engrossed for a third reading.

BILLS INTRODUCED.

By Mr. Stewart.

No. 295. An act in relation to mortgages due to the treasury fund and the Indianapolis fund.

Which was read the first time.

On motion by Mr. Stewart,

The rules were suspended, the bill read a second time and referred to the committee on finance.

By Mr. Stewart.

No. 296. A bill for the relief of replevy bail;

Which was read the first time.

On motion by Mr. Stewart,

The rules were suspended, the bill read a second time, and referred to the judiciary committee.

By Mr. Taber.

No. 297. An act to change the time of holding the Cass circuit court;

Which was read the first time.

On motion by Mr. Taber,

The rules were suspended, the bill read a second time, and referred to the judiciary committee.

By Mr. Davis.

No. 298. An act in relation to the New Albany and Salem rail road company;

Which was read the first time.

On motion,

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

By Mr. Randall.

No. 299. An act to authorize the county commissioners of Adams county, to employ a prosecuting attorney for said county;

Which was read the first time.

On motion,

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

By. Mr. Milligan.

No. 300. A bill to increase the power of the county board, in the county of Blackford;

Which was read the first time.

On motion,

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

The previous order of business being suspended;

Mr. Martin submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of Rufus Beall and others of Steuben county, praying for the passage of an act restricting the county commissioners of Steuben county in levying a tax to fifty cents on the one hundred dollars valuation, for county purposes, have had the same under consideration and directed me to report the following bill, and recommend its passage;

No. 301. An act to restrict the county commissioners of Steuben county, in levying a tax, to "fifty cents on the one hundred dollars valuation;"

Which was read the first time.

On motion,

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

The President laid before the Senate a communication from the Treasurer of State, in refference to the amount of outstanding Treasury notes, and their redemption.

Mr. Morrison moved to lay the report on the table, and order 500 copies to be printed.

Mr. English moved to amend by adding that "provided it can be printed by Monday, the 14th of February.

Which was not so ordered.

On motion by Mr. Murphy,

The report was laid on the table.

By Mr. Stewart.

No. 302. A joint resolution returning the thanks of the Legislature to our officers and soldiers, who have been, or now are in Mexico;

Which was read the first time and ordered tc a second reading.

On motion,

The Senate adjourned.

2 o'clock, P M..

The Senate assembled.

On motion,

The following message was received from the House of Representatives by Mr. Ward their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof :

No. 221. An act relative to the probate court of Monroe county.

In which the concurrence of the Senate is respectfully requested.

Which bill was read the first time.

The rules were suspended, the bill read a second and third times and passed.

Ordered, That that the Secretary inform the House thereof.

The following message was received from his Excellency the Governor, by Mr. James M. Sleeth his private Secretary :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he did on the 5th instant, approve and sign the following bills :

No. 42. An act to authorize the sale of school lands in Jay county ;

No. 62. An act for the benefit of S. E. Warden, and Geo. Green ;

No. 71. An act to authorize Matthias Peterson to convey water into the city of Lafayette ;

And that he did this day approve and sign the bill.

No. 108. An act in relation to the town of Carrollton in Carroll county ;

All of which originated in the Senate.

February 7th, 1848.

On motion by Mr. Robinson,

The report of the treasurer was taken from the table, and 250 copies ordered to be printed.

ORDERS OF THE DAY.

Bills on their third reading.

No. 244. An act in relation to the probate courts in Bartholomew county ;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 213. An act to authorize Roderic M. Selver to relinquish certain school lands ;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 217. An act to incorporate the Wayne County Turnpike Company ;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 217. An act to incorporate the Fairview academy, in Rush county ;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 219. An act to authorize the improvement of Tanners creek, in Dearborn county ;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 221. An act for the relief of widows and orphans ;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 192. An act to regulate the signing of bills of exceptions in the circuit courts ;

Which was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 183. An act to amend the law ;

Which was read a third time.

Mr. Read moved to amend the title of bill by adding after the word "law," "in the service and return of process ;"

Which amendment was adopted.

The bill passed.

Ordered, That the Secretary inform the House thereof.

No. 170. An act to regulate proceedings in the action of waste ;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 224. A bill to incorporate the Fort Wayne and Goshen Turnpike Company ;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 223. A joint resolution relative to a harbor at Michigan City, and other rivers and harbors;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 226. A joint resolution relative to Gen. Taylor;
Was read a third time,
And the ayes and noes demanded on the passage of the joint resolution.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Day, Davis, English, Ellis, Goodnow, Green, Hamrick, Howel, Houghton, Hubbard, James, Milligan, Montgomery, Murray, Osborn, Read, Robinson, Rousseau, Simpson, Stewart, Verbrike, Waters, and Zenor—30.

Those who voted in the negative are,

Messrs. Barbour, Coats, Handy, Hardin, Henry, Holloway, Huffstetter, Malott, Martin, Miller, Millikin, Morrison, Randall, Taber, and Winchell—15.

The joint resolution was passed.
Messrs. Murphy and Orth was excused from voting per agreement between them and Messrs. McCarty and Marsh, with whom they "paired off."
No. 98. An act for the relief of the heirs of John Widney;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 157. An act to amend the second article of the 13 chapter of the Revised Statutes of A. D. 1843, concerning the probate of wills and testaments;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 266. An act for the relief of Margaret Wade;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 185. An act to authorize executors, administrators, and guardians, to make deeds in certain cases;
Which was read a third time.
Mr. Osborn moved to amend the title of the bill as follows:
After the word "cases," and dispense with entering a deed on the final record.

Which amendment was adopted.
The bill passed as amended.

Ordered, That the Secretary inform the House thereof.

No. 273. An act supplementary to an act entitled "an act to amend an act entitled 'an act for the relief of the purchasers of school lands,' approved January 19, 1846," approved December 28, 1846.
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 20. An act (of the House) declaring a misprint in an "act to amend the practice in the probate court," approved January 28, 1847;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 21. An act (of the House) to authorize the Dearborn probate court, to make certain orders and decrees therein named;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 30. A joint resolution (of the House) in relation to increasing the clothing pay of non-commissioned officers and privates belonging to our armies in Mexico;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 43. A bill (of the House) for the relief of Dorothy Owens and others;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 81. An act (of the House) to regulate agencies of Foreign Insurance Companies;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 27. A bill authorizing the revaluation of lands in Monroe and and Irvin townships, in Howard county;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 31. A bill (of the House) relative to probate judges in the county of Porter;
Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 150. An act to incorporate the Clay Cotton Mills;
Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 284. A joint resolution of thanks to Captain John S. Simonson and Captain Lemuel Ford;
Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

The President laid before the Senate the following communication from his Excellency the Governor:

To the President of the Senate:

SIR:—In compliance with a resolution of the Senate adopted this day, requesting me to lay before that body "the protests of the bondholders of the State of Indiana," filed in my office by M. G. Bright, Agent of State, I herewith transmit copies of two several communications, purporting to be from James Holford and Silas Wood respectively, dated New York, June 24th, 1847, and addressed "to the Agents of the State of Indiana charged with the management of its affairs in the city of New York." I also enclose a copy of a letter to me from M. G. Bright, Esq., late Agent of State, transmitting said communications to me, and dated New York, October 31, 1847.

These are all the papers or documents which may be regarded as coming within the scope of the above resolution, of which I have any knowledge or information.

I am, very respectfully,
Your ob't serv't,
JAS. WHITCOMB.

NEW YORK, OCT. 31, 1847.

TO JAMES WHITCOMB, ESQ.,
Governor of Indiana:

SIR:—The accompanying protests against the laws of January 19, 1846, and January 27, 1847, were handed to me, as Agent of the State of Indiana, in the city of New York, on the days of their date, respectively, by James Holford, Esq., of the city of London, and Silas Wood, Esq., of the city of New York, both holders of certain bonds issued by the State of Indiana. As my duties here were purely of an executive character, I declined receiving them in an official way, but promised to have them conveyed to the Governor of the State, who would, doubtless give them such direction as he deemed just to the parties named. I now perform that duty, and submit them to your custody.

Very respectfully,
Your obedient servant,
(Signed) M. G. BRIGHT.

To the Agents of the State of Indiana charged with the management of its affairs in the city of New York:

GENTLEMEN:—The undersigned herewith surrenders to you certain bonds of the State of Indiana, some of them standing in his own name, and others in the name of a person whom he is duly authorised to represent in the premises, for the purpose of receiving in lieu thereof, the certificates of stock created under and by virtue of an act of the General Assembly of the State of Indiana, passed January 19th, 1846, and an act supplementary thereto, passed January 27th, 1847, which said bonds are numbered according to a schedule thereof hereto annexed.

The undersigned also offers for himself and the other holders of said bonds, to subscribe the proportionate amount required by the seventh section of the last mentioned act, in compliance with the provisions thereof.

He would also most respectfully represent, in behalf of himself and the other bondholder of said bonds, that the said surrender and the said offer to subscribe are made solely in consequence of the peremptory requisitions and alternatives of said acts, which are considered by him to be compulsory in their nature, and against which, as against all loss of interest and damages already incurred and hereafter to be incurred by reason thereof, and by reason of said surrender and subscription, the undersigned does hereby most solemnly protest; and in particular against the "further" proviso of the eighth section of the act last hereinbefore mentioned, providing "that the State will make *no provisions whatever* hereafter, to pay either principal or interest on any internal improvement bond or bonds, until the holder or holders thereof shall have first surrendered said bonds to the Agent of the State, and shall have received in lieu thereof, certificates of stock as provided in this act, any thing in this act to the contrary notwithstanding;"—which proviso and the principle therein contained and set forth, the undersigned would most respectfully represent to be not in accordance with equity and good conscience, but in derogation of both, containing a compulsory alternative, forcing upon the *bona fide* creditors of the State the certainty of a lesser loss to avoid a greater.

And, finally, the undersigned, for himself and those whom he represents, would hereby give notice that it is his intention at an early day to apply by petition to the Honorable the General Assembly of the State of Indiana, for redress in the premises, and for such legislation by that body as shall secure an "equitable provision" for such a discharge of all the pecuniary obligations of the State as shall be "just and acceptable to its creditors" and "honorable to the people of Indiana," not doubting that such a provision will at

some future day, be not only "within the ability," but in accordance with the desires of the people of that State.

Very respectfully, Your ob't servant,

(Signed) SILAS WOOD.

(Dated) NEW YORK, *June 28th*, 1847.

To the Agents of the State of Indiana charged with the management of its affairs in the city of New York:

GENTLEMEN: — The undersigned herewith surrenders to you certain bonds of the State of Indiana, some of them standing in his own name, and the others in the names of persons whom he is duly authorized to represent in the premises; for the purpose of receiving in lieu thereof, the certificates of stock created under and by virtue of an act of the General Assembly of the State of Indiana, passed January 19, 1846, and the act supplementary thereto passed January 27, 1847, which said bonds are numbered accerding to a schedule thereof hereunto annexed.

The undersigned also offers for himself and the other holders of said bonds, to subscribe the proportionate amount required by the seventh section of the last mentioned act, in compliance with the provisions thereof.

He would also most respectfully represent in behalf of himself and the other holders of said bonds, that the said surrender and the said offer to subscribe are made solely in consequence of the peremptory requisitions and alternatives of said acts, which are considered by him to be compulsory in their nature, and against which, as against all loss of interest, and damages already incurred and hereafter to be incurred by reason thereof, and by reason of said surrender and subscription, the undersigned does hereby most solemnly protest; and in particular against the "further" proviso of the eighth section of the act last hereinbefore mentioned, providing "that the State will make *no provisions whatever*, hereafter, to pay either principal or interest on any internal improvement bond or bonds until the holder or holders thereof shall have first surrendered said bonds to the Agent of State, and shall have received in lieu thereof certificate of stock, as provided in the act, any thing in this act to the contrary notwithstanding." Which proviso and the principle therein contained and set forth, the undersigned would most respectfully represent to be, not in accordance with equity and good conscience, but in derogation of both, containing a compulsory alternative, forcing upon the *bona fide* creditors of the State the certainty of a lesser loss, to avoid the probability of a greater.

And, finally, the undersigned, for himself and those whom he represents, would hereby give notice, that it is his intention at an early day to apply by petition to the Honorable the General Assembly of the State of Indiana, for redress in the premises, and such legislation by that body as shall seem an "equitable provision" for such

a "discharge of" all "the peceniary obligations" of the State as shall be just and acceptable to its creditors," and "honorable to the people of Indiana," not doubting that such provision will, at some future day, be not only "within the ability," but in accordance with the desires of the people of that State.

Very respectfully, Your obedient servant,

(Signed) JAMES HOLFORD.

(Dated) NEW YORK, *June 24th*, 1847.

Schedule referred to.

17	Bonds, bank loan sterling bonds,	No.	684 to 700	17,000
21	Bonds, bank loan sterling bonds,	No.	905 to 925	21,000
25	Bonds, bank loan sterling bonds,	No.	926 to 950	25,000
8	Bonds, internal imp't sterling bonds,	No.	1691 to 1698	8,000
1	Bonds, internal imp't sterling bonds,	No.	1677 to ——	1,000
20	Bonds, internal imp't sterling bonds,	No.	1701 to 1720	20,000
2	Bonds, internal imp't sterling bonds,	No.	1699 to 1700	2,000
9	Bonds, internal imp't sterling bonds,	No.	1762 to 1770	9,000
40	Bonds, internal imp't sterling bonds,	No.	1838 to 1877	40,000
19	Bonds, internal imp't sterling bonds,	No.	1880 to 1898	19,000
162	belonging to Frederick Alhusen, Alhusen, London.			
1	Bond of Wabash and Erie canal lonn,	No.	2430 to ——	1,000
2	Bond of the internal imp't dol'r bonds,	No.	4506 to 4617	2,000
4	Bond of the internal imp't strl'g bonds,	No.	221 to 224	4,000
11	Bond of the internal imp't strl'g bonds,	No.	1605 to 1615	11,000
5	Bond of the internal imp't strl'g bonds,	No.	1636 to 1640	5,000
1	Bond of the internal imp't strl'g bonds,	No.	1655 to ——	1,000
14	Bond of the internal imp't strl'g bonds,	No.	1663 to 1676	14,000
38	belonging to James Holford.			

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have compared enrolled bills of Senate Nos. 38 and 146, with the engrossed bills, and find them correctly enrolled.

MR. PRESIDENT:

The committee on enrolled bills have compared enrolled bill of the Senate No. 27, with the engrossed, and find it correctly enrolled.

On motion,

The Senate adjourned.

TUESDAY MORNING, FEBRUARY 8, 1848.

The Senate assembled.

The reading of the journal was dispensed with.

On motion by Mr. Miller,

The previous order of business suspended, and bills on third reading taken up.

No. 40. An act to encourage the growth of cranberries in the county of Allen, and for the protection of cranberry marshes;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 215. A bill in relation to the dam and water power on the Central Canal, in Morgan county;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bills of the Senate, with sundry amendments:

No. 28. A act to amend an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors;

No. 39. An act to incorporate the Indianapolis and Belfountaine Railroad Company;

No. 111. An act to compel the trustees of the Wabash and Erie canal to allow interest on canal land script;

No. 124. An act relative to the time of making reports to the Legislature;

No. 132. An act for the benefit of Lawrenceburgh township, in Dearborn county;

In which amendments of the House the concurrence of the Senate is respectfully requested.

The engrossed amendments of the House to engrossed bills of the Senate Nos. 111, 124, and 132, contained in foregoing message, were severally concurred in by the Senate.

No. 28, contained in the foregoing message.

The question being on concurring in the engrossed amendments of the House,

The Senate refused to concur in the amendment of the House,

striking out the county of Jefferson, the county of Union, the county of Vermillion, the county of Grant, the county of Boone, the county of Henry, the county of Switzerland.

On motion by Mr. Houghtou,

The county of Martin was stricken out.

On motion by Mr. Cassatt,

The county of "Wabash" was stricken out, and the counties of Miami and Wabash inserted in the 3d section of the 14th amendment.

On motion by Mr. Randall,

The counties of "Adams and Wells" were stricken out of the 3d section of the bill.

On motion by Mr. Conner,

The county of "Hamilton" was stricken out of the 3d section of the bill and inserted in the 1st section.

The counties of Boone and Tipton inserted in the 3d section.

No. 270. An act to incorporate the Cincinnati and St. Louis Railroad Company;

Which was read a third time.

The question being on the passage of the bill,

The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Senators Beard, Cassatt, Chenowith, Coats, Conduit, Conner, Day, Davis, Green, Handy, Hardin, Holloway, Howel, Hubbard, Milligan, Montgomery, Murphy, Murray, Orth, Read, Robinson, Simpson, Verbrike, Waters, Winchell and Zenor—26.

Those who voted in the negative are,

Senators Barbour, Berry, Cornett, English, Ellis, Goodnow, Hamrick, Henry, Houghton, Huffstetter, Malott, Miller, Millikin, Morrison, Osborn, Stewart, Taber and Walpole—18.

The bill passed.

Ordered, That the Secretary inform the House thereof.

Leave of absence was granted to Mr. Millikin from Saturday next.

BILLS ON SECOND READING.

No. 84. An act regulating the action of ejectments;

Which was read a second time, and referred to the judiciary committee.

No. 85. An act to legalize a sale of real estate by Peter F. Navarre, jun.;

Was read a second time, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 86. An act to reduce the law incorporating the city of Madison, and the several acts amendatory thereto, into one act, and to amend the same;

Which was read a second time, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 90. An act to incorporate the South Bend Woollen and Cotton Manufacturing company;

Was read a second time, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 91. An act concerning the State Library;

Was read a second time, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 119. An act to incorporate the Taylor Cotton Mills;

Which was read a second time, the rules suspended, the bill read a third time.

The question being on the passage of the bill,

Messrs. Barbour and Stewart demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Day, Davis, Ellis, Goodnow, Green, Hamrick, Holloway, Howel, Hubbard, James, Martin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Winchell, Zenor—32.

Those who voted in the negative are,

Messrs. Barbour, Coats, English, Handy, Hardin, Henry, Hufstetter, Malott, Milligan, Millikin, Morrison, Randall, Read, Stewart—14.

The bill passed.

Ordered, That the Secretary inform the House thereof.

No. 120. An act to incorporate the Perry cotton mill;

Which was read a second time.

The rules were suspended and the bil read a third time.

The question being on the passage of the bill;

Messrs. Barbour and Stewart demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Day, Ellis, Goodnow, Green, Hamrick, Holloway, Howel, Houghton, Hubbard, James, Martin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Winchell, Zenor—32.

Those who voted in the negative are,

Messrs. Barbour, Coats, English, Handy, Hardin, Henry, Malott, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart—14.

The bill passed.

Ordered, That the Secretary inform the House thereof.

No. 121. An act to incorporate the Cannelton glass manufacturing company;

Was read a second time.

The rules were suspended, and the bill read a third time.

The question being on the passage of the bill;

Messrs. Stewart and Barbour demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Day, Davis, Ellis, Goodnow, Green, Hamrick, Holloway, Howel, Houghton, Hubbard, James, Martin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Waters, Winchell, Zenor—32.

Those who voted in the negative are,

Messrs, Barbour, Coats, English, Handy, Hardin, Henry, Malott, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart.—14.

The bill passed.

Ordered, That the Secretary inform the House thereof.

No, 122. An act to incorporate the Cannelton Paper mill;

Which was read a second time.

Mr. Millikin offered the foliowing amendment:

That the directors who shall contract debts over the solvent stock subscribed, shall be individually liable for such debts.

Mr. Howard moved to lay the amendment on the table.

Messrs. Beard and Stewart demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Howel, Houghton, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Waters, Winchell, Zenor —27.

Those who voted in the negative are,

Messrs. Barbour, Coats, Day, English, Handy, Hardin, Henry, Huffstetter, Malott, Martin, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart.—17.

The amendment was laid on the table.
The rules were suspended and the bill read a third time.
The question being on the passage of the bill;
Messrs. Barbour and Stewart demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Day, Davis, Ellis, Goodnow, Hamrick, Holloway, Howel, Houghton, Hubbard, James, Martin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Waters, Winchell, Zenor—30.

Those who voted in the negative are,

Messrs. Barbour, Coats, English, Handy, Hardin, Henry, Huffstetter, Malott, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart—15.

The previous order of business being suspended, Mr. Cassatt introduced the following bill:

No. 302. An act making provision for the payment of the witnesses who attend before the judiciary committee of the Senate, during the present session;

Which was read the first time.

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

No. 123. An act to incorporate the Ward Cotton Mills;

Was read the first time.

The rules were suspended, the bill read a second and third times.

The question being on the passage of the bill;

Senators Barbour and Stewart demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Day, Davis, Ellis, Goodnow, Green, Hamrick, Holloway, Howel, Houghton, Hubbard, James, Martin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Waters, Winchell, and Zenor—32

Those who voted in the negative are,

Messrs. Barbour, Coats, English, Handy, Hardin, Henry, Huffstetter, Malott, Milligan, Millikin, Morrison, Randall, Read, and Stewart—15.

The bill passed.

Ordered, That the Secretary inform the House thereof.

No. 124. An act to incorporate the Indiana Cotton Mills;

Was read a second time, the rules were suspended and the bill read a third time.

The question being on the passage of the bill,

Messrs. Barbour and Stewart demanded the ayes and noes:

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Day, Davis, Ellis, Goodnow, Green, Hamrick, Holloway, Howel, Houghton, Hubbard, James, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Waters, Winchell, Zenor—31.

Those who voted in the negative are,

Messrs. Barbour, Coats, English, Handy, Hardin, Henry, Huffstetter, Malott, Milligan, Millikin, Morrison, Randall, Read, and Stewart—14.

The bill passed.

Ordered, That the Secretary inform the House thereof.

No. 125. An act to incorporate the Cannelton Cotton Mill.

Was read a second time, the rules were suspended and the bill read a third time.

The question being on the passage of the bill,

Messrs. Stewart and Barbour demanded the ayes and noes:

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Ellis, Goodnow, Green, Hamrick, Holloway, Howel, Houghton, Hubbard, James, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Waters, Winchell, and Zenor—29.

Those who voted in the negative are,

Messrs. Barbour, English, Handy, Hardin, Henry, Huffstetter, Malott, Miller, Milligan, Millikin, Morrison, Randall, Read, and Stewart—14.

The bill passed.

Ordered, That the Secretary inform the House thereof.

No. 126. An act (of the House) to incorporate the Cannelton Foundry;

Which was read a second time, the rules suspended, the bill read a third time.

The question being on the passage of the bill,

Messrs. Barbour and Stewart demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Day, Davis, Ellis, Goodnow, Green, Hamrick, Holloway, Howel, Houghton, Hubbard, James, Montgomery, Murphy, Murray Orth, Osborn, Robinson, Rousseau, Simpson, Taber, Verbrike, Walpole, Waters, and Zenor—30.

Those who voted in the negative are,

Messrs. Barbour, Coats, English, Handy, Hardin, Henry, Huffstetter, Malott, Miller, Milligan, Millikin, Morrison, Randall, Read, and Stewart—15.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

No. 127. An act to incorporate the Princeton female academy;

Was read a second time.

Mr. Miller offered the following amendment:

First amendment:

Strike out in the 3d line and 1st section the name of J. Pennington, and insert in lieu thereof the name of James Boswell, of the county of Gibson and State of Indiana.

Second amendment:

Strike out the 3d and 4th sections and insert in lieu thereof the following, viz:

Sec. 3. It shall be the duty of said trustees appointed by this act, to hold an election of three trustees as their successors in office, on the 3d day of September, 1848, at the court-house in Princeton, at which the regular qualified voters of said town of Princeton shall be entitled to vote for said trustee, and the person having the highest number of votes, shall serve as such trustee for three years; and the person having the next highest number of votes, shall serve for two years; and the person having the next highest number of votes to the second, shall serve for one year; and one trustee shall annually be elected thereafter on the third Monday of September, and the trustees so elected shall hold their office for three years, and until their successors are elected and qualified; and in case of the death, resignation, or removal of any trustee, the remaining trustee, or trustees, shall appoint some person to fill such vacancy, until a successor shall be duly elected and qualified.

Which amendment was adopted.

The rules suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 128. An act (of the House) granting to the citizens of the town of Aurora, in the county of Dearborn, a city charter;

Which was read a second time, and referred to the committee on corporations, with an accompanying remonstrance.

No. 129. An act (of the House) to repeal a certain act therein named;

Was read a second time.

Mr. Orth offered the following amendment:

Strike out all from and after the word "passage."

Which was adopted.

The rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 130. An act (of the House) to legalize the act of the President and Trustees of the town of Rising Sun in Ohio county, State of Indiana;

Was read a second time, the rules suspended, the bill read a third time and passed.

Ordered. That the Secretary inform the House thereof.

No. 131. An act to change the name of Ebenezer Barker Twitchel;

Was read a second time, the rules suspended, bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 132. A act for the relief of Mary M. Goodrich;
Was read a second time.
The rules being snspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 133. A act to extend the jurisdiction of justices of the peace, in the counties of Fulton and Marshall;
Was read a second time, and,
On motion by Mr. Day,
Was laid on the table.

No. 134. An act to authorize the auditor and school commisrioner of Miami county to make a deed to Jacob Brower;
Was read a second time.
The rules being suspended the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 135. An act to vacate certain streets and alleys, therein named.
Was read a second time, and referred to the committee on the affairs of the town of Indianapolis.

No. 139. An act to amend an act entitled an act more effectually to enable supervisors to open and keep in repair public highways;
Was read a second time.
The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 141. An act in relation to the tax duplicate of the county of Jefferson, for the year 1847;
Which was read a second time;
The rules suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 92. An act fixing jurors' fees before justices' courts, in the county of Delaware;
Which was read a second time;
The rules suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 112. An act to amend "an act regulating the mode of doing township business in the county of Elkhart;"
Was read a second time.
The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 93. An act to amend an act entitled an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors;
Was read a second time.
The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 97. An act to incorporate the town of New London, Howard county;
Was read a second time.
The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 102. An act to incorporate the Liberty and Brownsville Turnpike Company;
Was read a second time.
The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 106. An act lopping off all the extra allowance of the clerk and sheriff of Delaware county, as now allowed by the board of the same;
Was read a second time.
The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 110. An act for the better securing of titles in Spencer and Dubois counties;
Was read a second time.
The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 113. An act authorizing the location of a State road in Posey county;
Was read a second time.
The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 116. An act to regulate clerk's fees in the Probate court of Jackson county;
Was read a second time.

The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 117. An act relative to the charter of the town of Indianapolis;
Was read a second time.
The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 142. An act to incorporate the Centreville and Abbington Turnpike Company;
Was read a second time.
The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 146. An act to incorporate the Indiana Canal Company;
Was read a second time.
On motion by Mr. Read,
Was referred to a select committee.

Messrs. Read, Davis, and Ellis were appointed said committee.

No. 147. An act to incorporate the Madison, Lexington, and Brownstown Turnpike Company;
Was read a second time.
The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 115. An act regulating the salary of the the auditor of Putnam county;
Was read a second time.
The rules being suspended, the bill was read a third time, and passed;

Ordered, That the Secretary inform the House thereof.

No. 149. An act for the relief of Charity Forden, of Daviess county;
Was read a second time.
The rules being suspended, the bill was read a third time, and passed;

Ordered, That the Secretary inform the House thereof.

No. 219. An act to repeal an act defining the duty of county treasurers, passed January 13th, 1845;
Was read a second time.

The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 242. An act authorizing John Secrest to build a mill-dam across the Mississinewa river, in Grant county;
Was read a second time.
The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 244. An act to incorporate the Madison Hotel Company;
Was read a second time.
The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 264. An act declaring Scott Noel the successor in office as justice of the peace, of Robert M. Gilkeson;
Was read a second time.
The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 265. An act in relation to a certain State road in the county of Daviess;
Was read a second time.
The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 273. An act to provide for a county Library, in the county of Pulaski, and for other purposes;
Was read a second time.
The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 274. An act to amend an act entitled an act in relation to the service of subpœnas in chancery, approved January 25, 1847;
Was read a second time, and referred to the judiciary committee.

No. 302. An act to authorize the State Librarian to purchase a portrait of General George Washington;
Which was read a second time, and referred to the committee on the State Library.

No. 157. A bill to locate a State road in the county of Posey;
Was read a second time.
The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 75. An act to amend an act to provide for the election of Prosecuting Attorneys by the people, in the several counties, approved January 27, 1847;

Was read a second time.

Mr. Robinson offered the following amendment:

Strike out the bill from the enacting clause, and insert the following:

That it shall, and is hereby, made the duty of the prosecuting attorneys in the several counties of the first, sixth, ninth and thirteenth judicial circuits, and the counties of Grant, Jay and Blackford, to attend to and see that proper entries are made on the order book of the courts where they severally prosecute, in all State cases where there is a forfeiture of a recognizance; and where said forfeiture shall not be set aside, it shall and may be lawful for the prosecuting attorney to charge and collect a docket fee of three dollars.

Sec. 2. That when any recognizance is forfeited in any State cause, and the same shall not be set aside by the court, it shall, and it is hereby, made the duty of the prosecuting attorneys in said circuits, in the proper court or courts where they prosecute, to see to and prosecute all causes on *scire facias* issued on any forfeited recognizance in favor of the State of Indiana, and in all causes on *scire facias* where judgment shall be rendered in favor of the State, the said prosecuting attornies shall have the right to charge and collect a docket fee of five dollars.

Sec. 3. That it shall and may be lawful for the several prosecuting attorneys in the circuits above referred to, to attend any and all State causes in the supreme court, that may come up to the supreme court from their respective courts, by appeal or writ of error, and receive the fees now or hereafter to be allowed for the same.

This act to take effect and be in force from and after its passage.

Mr. Beard moved to amend the amendment by inserting, in the 1st section, "the first judicial circuit."

Which amendments were adopted.

Mr. Rousseau moved to strike out "the 10th judicial circuit."

Which was adopted.

On motion by Mr. Winchell,

The counties of Blackford Grant and Jay were added to the provisions of the bill.

The rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

On motion,

The Senate adjourned.

2 *o'clock*, *P. M.*

The Senate assembled.

Mr. Read asked leave of absence for Mr. Murphy, from Saturday next, for the remainder of the session;

Which was granted.

The following message was received from the House by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House of Representatives have passed the following engrossed bill thereof:

No. 372. An act to authorize the construction of Morse's Electro-Magnetic Telegraph in the State of Indiana, and for other purposes;

In which the concurrence of the Senate is respectfully requested.

Which bill was read the first time, the rules suspended, and the bill read a second time, and referred to the committee on corporations.

The following messages were received from the House of Representatives by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following bills of the House:

No. 76. An act to amend an act entitled "An act to authorize the people of Fayette and other counties therein named to elect their seminary trustees;"

No. 279. An act to authorize John G. Johnson, of Owen county, to correct a mistake in a certain deed;

No. 217. An act to abolish the office of school commissioner in the county of St. Joseph, and to transfer the duties of said office to the county treasurer;

No. 281. An act to change a certain State road therein named in the county of Jackson;

No. 286. An act to locate a State road in the counties of Clay and Owen;

No. 13. An act to extend the time for the final payment for certain school lands in Miami county, and for other purposes;

Which I am directed to bring to the Senate for the signature of the President thereof.

Thereupon the President affixed his signature to said bills.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following bills of the Senate:

No. 38. An act for the relief of John Plasters formerly school commissioner of Miami county;

No. 27. An act for the benefit of the New Albany and Salem Railroad Company;

No. 146. A joint resolution relative to a mail route from Salem to Bloomington;

No. 110. An act to incorporate the Junction Railroad Company;

No. 165. An act to amend an act entitled "An act to incorporate the Buffalo and Mississippi Railroad Company," approved February 6, 1835, and the several acts amendatory thereto;

Which I am directed to bring to the Senate for the signature of the President thereof.

Thereupon the President affixed his signature to said bills.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed joint resolution of the Senate, without amendment:

No. 144. A joint resolution relative to the National Road.

The following message was received from his Excellency the Governor, by his Private Secretary, Mr. James M. Sleeth:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he did on this day approve and sign Senate bill No. 165, entitled "an act to amend an act entitled, an act to incorporate the Buffalo and Mississippi railroad company," approved February 6th 1835, and the several acts amendatory thereto.

February 8th, 1848.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate, that he did on this day approve and sign joint resolution No. 146, entitled a joint resolution relative to a mail route from Salem to Bloomington, which originated in the Senate.

February 8th, 1848.

Leave being granted,

Mr. Cassatt made the following report from the judiciary committee:

MR. PRESIDENT:

The judiciary committee to which was referred Senate bill No. 41, have had the same under consideration, and instructed me to report it back, with three amendments, and when so amended, recommend its passage.

The amendments are as follows:

1st. Strike out all after the first section.

2d. Strike out "October," in the last line of the first section, and insert December.

Add the following:

SEC. 2. The trustees of the Wabash and Erie canal are hereby authorized to cause all the unsold lands in the Vincennes land district, to be reappraised and sold, subject to the rules and regulations specified in said act, for the reappraisement and sale of other lands: *Provided*, That none of such lands shall be sold for a sum less than one dollar and twenty-five cents per acre.

SEC. 3. For the purpose of appraising the lands by this act authorized to be appraised, the several persons and officers therein mentioned, shall be governed in all things by sections 23, 24, 25, and 26, of the act above mentioned, so far as the same are applicable, and be possessed of the same powers and entitled to the same compensation as therein specified, to be paid in the same manner, and out of the same fund: *Provided, however*, That nothing herein shall be construed to prevent the appraisers appointed under this act, from appraising any tract of canal land upon which the full amount of purchase money may have been paid to the State, if in their opinion, justice to the owner requires it. And if upon such reappraised value, it shall appear that the owner of said land shall have paid more than the sum at which the same shall have been reappraised, it shall be lawful for the trustees, if they deem it right and proper, to refund any excess above such reappraised value, to the aforesaid owner, in such funds as were receivable for said lands.

SEC. 4. After said lands shall be appraised as above provided, the several purchasers and holders of certificates for any of said lands, shall be entitled to all the rights and privileges secured by said section 24, and all persons and officers shall be governed by the provisions of said section.

SEC. 5, This act shall be in force from and after its passage.

Mr. Miller moved to amend the amendment as follows:
Strike out the "*proviso*" of the third section.
Which was not adopted.

Mr. Rousseau offered the following amendment, to the amendment:

Which was adopted.

The amendment was then adopted as amended.

The question being on the engrossment of the bill;

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Coats, Conduit, Cornett, Day, Davis, Ellis, Handy, Houghton, Hubbard, Martin, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Randall, Rousseau, Taber, Walpole, Waters, Winchell, Zenor—24.

Those who voted in the negative are,

Messrs. Barbour, Berry, Chenowith, Conner, English, Goodnow, Green, Hamrick, Hardin, Henry, Holloway, Howel, Huffstetter, James, Malott, Miller, Milligan, Morrison, Read, Robinson, Stewart, Verbrike, Zenor—23.

The bill was ordered to be engrossed.

On motion,

The rules were suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Leave being granted,

Mr. Coats introduced bill

No. 303. A bill to revive an act entitled "an act to incorporate the Covington and Illinois railroad company," approved Feb. 5th 1848

Was read the first time, and the rules suspended, the bill read a second time, and

On motion by Mr. Rousseau,

Referred to a select committee, composed of Messrs. Coats, Rousseau, and Beard.

On motion,

Leave of absence was granted Mr. Milligan. after Saturday next for the remaiuder of the session.

ORDERS OF THE DAY.

Bills on second reading.

No. 227. An act relative to water power on the Central Canal;

Was read a second time, and the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Hardin, chairman of the of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills, have compared engrossed bill No. 90, of the Senate, with the enrolled bill, and find it correctly enrolled.

No. 230. A bill to vacate a portion of a certain street in the town of Bloomington;

Was read a second time, and the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 231. A bill to annex a portion of the territory of the county of Benton, to the county of Tippecanoe;

Was read the first time.

Mr. Montgomery offered the following amendment:

Strike out the bill from the enacting clause, and insert the following:

That so much of the county of Tippecanoe as lies north of the Wabash river, be, and the same is hereby attached to the county of Benton, and shall hereafter be and constitute a part of said county of Benton.

SEC. 2. This act to take effect and be in force from and after its passage.

On motion by Mr. Beard,

The bill and amendment were indefinitely postponed.

No. 232. A bill to repeal a portion of a certain act therein named. in relation to loaning school funds;

Was read a second time and referred to the committee on education.

No. 233. A bill to incorporate the Chamberlin Mills;

Was read a second time.

Mr. Green offered the following amendment:

Strike out the word "cotton," wherever it occurs in the bill before the word "mills."

In the fifth line, after the word "Humphrey's" add "Asa Hildrith."

In the ninth line after the word "cotton," add "and other goods."

In the proper place add "in shares of $100 each."

Which amendments were adopted.

Mr. Green offered the following amendment:

SEC.—The treasurer of said company shall give notice semi-annually, in some newspaper printed in the county of Switzerland, and in case no newspaper is printed therein, then in some newspaper in an adjoining county, in the months of January and July, of the amount of all the assessments, voted by the company, and ac-

tually paid in, and remaining undivided, and the amount of the then existing capital stock invested in real estate, buildings, machinery, and other fixtures. If any such treasurer shall wilfully neglect to give such notice, or shall knowingly publish a false statement, he shall be fined in a sum not exceeding two thousand dollars, on indictment and conviction thereof, to be applied, like other moneys appropriated for the purposes of general education; and at once become liable for all debts contracted by the cordoration.

Sec. —. The said company are hereby expressly prohibited from contracting any debt, or debts, exceeding at any one time the amount of the capital stock invested in real estate, machinery, buildings or other fixtures, within the State of Indiana, but no case to exceed one half the amount of the capital stock paid in, and remaining undivided. And if any director, or directors, or other officers of said company, shall vote to contract, or in any way authorize the contracting, or shall contract any debt or debts, exceeding in amount tho sum allowed and authorized to be contracted by this act, such director or directors, or other officers, shall at once become severally and individually liable for the payment of such debt or debts, and it is hereby further provided and required that no person shall be chosen a treasurer or director who is not a stockholder therein.

Which amendments were adopted.

The rules being suspended, the bill passed.

Ordered, That the Secretary inform the House thereof.

No. 234. A bill to amend an act entitled "an act to incorporate the White Water valley canal company," approved January 20, 1842;

Was read a second time.

Mr. Hubbard offered the following amendment:

Section. —. The bonds authorized to be issued under the provisions of this act, shall not exceed the sum of one hundred thousand dollars;

Which amendment was adopted and the bill ordered to be engrossed.

No. 237. An act to authorize the commissioners of Jay county to assess an additional tax;

Was read a second time.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 239. A bill concerning the distribution of the laws and journals in Bartholomew county;

Was read a second time.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 241. An act authorising the sale of section 16, in township number 28 north, of range 8 east;

Was read a second time.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 242. An act to prevent the sale of spirituous liquors in Wayne and Franklin townships, in Wayne county, by less quantity than ten gallons;

Was read a second time.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 245. A bill relative to the collection of taxes in Bartholomew county;

Was read a second time.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 246. A bill to locate a State road in the counties of Allen, Adams, and Jay;

Was read a second time.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 247—Was read a second time, and referred to a select committee, composed of

Messrs. Randall, Milligan, and Murray.

No. 248. An act to locate a State road from Logansport, in Cass county, to Winnemac, in Pulaski county;

Was read a second time.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 249. An act to prevent vexatious prosecutions;

Was read a second time, and referred to the committee on the judiciary.

No. 250. A bill supplemental to an act entitled an act to fix the time of holding courts in the eighth judicial circuit, approved January 13th, 1848;

Was read a second time.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Ellis, from the joint committee on the State Library, submitted the following report:

Mr. President:

The joint committee on the Library, to which were referred a special message from the Governor, a communication from M. Vattemare, and several printed documents in relation to the system of International Exchanges, have given these matters careful consideration, and now present the following report:

It is a matter of just felicitation, that Indiana was one of the first of the United States, which adopted the comprehensive system of Exchanges, devised by M. Vattemare. By a joint resolution approved January 15, 1844, the Secretary of State was authorized to forward several copies of all public and private laws, legislative documents, &c., for distribution, to the government of France, and several public institutions in the city of Paris. These works, to the number of several hundred volumes, were neatly bound in a uniform manner, transmitted to Paris at the expense of the State, and confided to the immediate personal care of M. Vattemare. For this evidence of our good will, and hearty appreciation of his system of national fraternization, he was pleased to express his grateful thanks, and the courteous acknowledgements of the several recipients of the donations. In return for these gifts, M. Vattemare has informed the Governor, that three large cases of books now await his order, at the general agency in New York, which have been sent by the Legislative Chambers of France, the Secretary of the Departments of Justice, Marine, Interior, Commerce, Public Instruction, and Public Works, the Common Council of the city of Paris, and the Academy of Moral and Political Sciences.

It is proper to mention that this system of Exchanges has been happily extended in another direction. In compliance with the request of the directors of the British Museum, which is a national establishment under the control of the government of Great Britain, the Legislature authorized exchanges of the same character as those above named by a joint resolution approved January 27, 1847. The Secretary of State forwarded these books, but sufficient time has not elapsed for their reciprocation. There is no doubt that the courtesy thus extended, will be met in a liberal spirit; and that the State Library will soon be enriched by contributions from the rich stores which have cumulated for a long term of years in an institution founded by unexampled private liberality, and since fostered by the ample energies and paternal care of an able government.

The leading idea in the scheme so happily evolved by M. Vattemare, is that of a universal brotherhood of civilized nations, in the mutual exchange of all their peculiar, mental, and physical products. It is not confined to books, but reaches every object, however minute and varied, of civil, ecclesiastical, and natural history. The comprehension of this system is characteristic of the present century, and is worthy of the head and heart of a philanthropist who claims Lafayette as his fellow-countryman, and unites America in his warmest aspirations for his father-land. It is with natural anxiety that M. Vattemare contemplates the possibility that his system may not be permanent, unless the requisite legislation is had during his life-time. He is now in this country with the express object of inducing the several State governments to make suitable provision for the continuance of the exchanges heretofore authorized by them, and the appointment of suitable agents to enforce their wishes. At home the State Librarian is the proper person to be in charge of the business, while abroad it would be sound policy to place the agency in the hands of one thoroughly conversant with its duties, and no less impressed with the intrinsic importance of its objects. At the present time, the committee can think of no one so suitable to act in the foreign agency as M. Vattemare, who alone seems to possess every requisite quality to render his system of permanent advantage to the State, and to place its continuity beyond a reasonable doubt. Eulogy need not be pronounced on the man who has sacrificed his time, talents, and fortune, in promoting objects which must result in bringing nations into close brotherhood, and individuals to a fraternal interchange of every office which ennobles humanity. Such labor, when pursued for a series of years in unobtrusiveness earnestness, demands the meed of public and private acknowledgement when it becomes known, and is not the less entitled to munificent remuneration. In the present instance, M. Vattemare, though justly esteemed a public benefactor, does not come before the General Assembly as an applicant for its pecuniary favors. He simply asks that, now his objects have been accomplished so far as to relieve him from the imputation of being a visionary enthusiast, the necessary expenses attending their accomplishment in future shall be defrayed by those who have received the fruits of his genius and unwearied perseverance. The committee believe that the General Assembly will appreciate the importance of placing the system of International Exchanges, on a permanent basis—the only remaining act of necessary legislation—and they unite most cordially with His Excellency, the Governor, in the hope that all requisite measures will be adopted at the present session, to fully meet the suggestions which have been offered by M. Vattemare.

For the purpose of inducing prompt and desirable action by the General Assembly, the committee unanimously recommend the adoption of the accompanying joint resolution.

ABNER T. ELLIS.
ASAHEL W. HUBBARD.
E. R. JAMES.
THOMAS D. HANKINS.
E. SACKETT.
CHARLES T. JONES.

No. 304. A joint resolution relative to International Literary Exchanges;

Was read the first time.

The rules being suspended, the joint resolution was read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

No. 251. A bill to incorporate the Fort Wayne and Southern Railroad Company;

Was read a second time, when

Mr. Randall offered the following amendment:

Amend section 20, by striking out the word "five" and inserting "ten;"

Which amendment was adopted.

SEC. —. The Directors of said company shall be individually liable for all debts contracted by said company, over and above the stock subscribed to and paid in said company;

Which amendment was not adopted.

The bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 252. An act to incorporate the Harrison Township and Abington Turnpike company;

Was read a second time, and the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 253. A bill giving the commissioners of the reserved townships in Monroe county a compensation for certain services therein named;

Was read a second time, and the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 254. An act amendatory to the laws in regard to writs of *Ad quad damnum;*

Was read a second time and referred to the judiciary committee.

No. 255. A bill to incorporate the Cannelton Steam Mill and Manufacturing company;

Was read a second time, the rules suspended, and the bill read a third time.

Messrs. Barbour and Stewart demanding the ayes and noes on the passage of the bill,

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Day, Davis, Ellis, Goodnow, Hamrick, Holloway, Howel, Houghton, Hubbard, James, Martin, Milligan, Millikin, Montgomery, Murphy, Murray, Orth, Osborn, Rousseau, Taber, Walpole, Waters, Winchell, Zenor—31.

Those who voted in the negative are,

Messrs. Barbour, Coats, English, Handy, Hardin, Henry, Huffstetter, Malott, Miller, Morrison, Randall, Read, Stewart—14.

The bill was passed.

Ordered, That the Secretary inform the House thereof.

No. 256. A bill to incorporate the Mount Vernon and New Harmony Railroad company;

Was read a second time, and the rules suspended, the bill read a third time.

Messrs. Henry and Stewart demanding the ayes and noes on the passage of the bill,

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Cassatt, Chenowith, Coats, Conduit, Conner, Cornett, Day, Davis, English, Ellis, Goodnow, Green, Hamrick, Handy, Hardin, Henry, Holloway, Howel, Houghton, Hubbard, Huffstetter, James, Malott, Martin, Miller, Milligan, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Randall, Read, Rousseau, Stewart, Taber, Walpole, Waters, Winchell, Zenor —44.

No. 257. A bill to regulate the practice of the law in the Lagrange circuit court;

Was read a second time, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 258. A bill to amend "An act to incorporate the Brookville and Connersville Turnpike company;

Was read a second time, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 259. A bill to impose additional duties on Prosecuting Attorneys in the several counties of the 12th judicial circuit, and for other purposes;

Was read a second time and referred to a select committee, composed of Messrs. Randall, Martin and Murray.

No. 260. An act to authorize Thomas Hamilton to build a mill dam across the St. Joseph river;

Was read a second time, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 261. An act to amend the charter of the Milford and Columbus Railroad company;

Was read a second time, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 262. An act for the relief of A. Bird;

Was read a second time, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 265. An act to authorize the commissioners of Daviess county to employ a physician;

Was read a second time, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 267. An act to authorize the sale of School section belonging to township 21 north, of range 5 west, in Tippecanoe county;

Was read a second time, the rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 268. An act authorizing the sale of the old Indiana State Prison;

Was read a second time, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 274. An act to change a certain State road in the county of St. Joseph;

Was read a second time, the rules were suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 275. An act extending the provisions of chapter 16 of the Revised Statutes of 1843 to Lagrange county;

Was read a second time, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 277. An act relating to Auditors and Treasurers;

Was read a second time.

On motion by Mr. Stewart,

The county of Marion was exempted from the provisions of the bill.

The rules were suspended and the bill read a third time.

The question being on the passage of the bill,

Senators Stewart and Henry demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Cassatt, Chenowith, Coats, Conner, Cornett, Day, Davis, Ellis, Handy, Hardin, Holloway, Howel, Houghton, Hubbard, Huffstetter, James, Malott, Miller, Murphy, Murray, Osborn, Randall, Read, Rousseau, Walpole, Winchell, and Zenor —29.

Those who voted in the negative are,

Messrs. Beard, Conduit, English, Goodnow, Green, Hamrick, Henry, Milligan, Millikin, Montgomery, Orth, Stewart, Taber, Verbrike, and Waters—15.

The bill passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am instructed by the House of Representatives to inform the Senate that said House has passed the following engrossed bill thereof:

No. 245. An act for the relief of Joseph R. Pratt;

In which the concurrence of the Senate is respectfully requested.

No. 245, contained in the message, was read the first time, the rules suspended, the bill read a second time and referred to the committee on claims.

No. 279. An act to provide for assessing and paying damages occasioned by the construction of the Wabash and Erie canal;

Was read a second time, the rules suspended, the bill referred to the judiciary committee:

No. 280. An act to authorize the construction of plank roads;

Was read a second time, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 281. An act to incorporate the Wabash and Greenville Railroad company;

Was read a second time.

Mr. Cassatt offered the following amendment:

After the figures "1847" in the first section of this act, insert the words—"except sections 21 and 22 of the above recited act;"

Which was adopted.

The bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof:

No. 282. A joint resolution in relation to the contract entered into between the State of Indiana and her bond-holders;

Was read a second time.

Mr. Chenowith offered the followiug amendment:

And also, the side cut at Clinton, cotemporaneously with the main line of the canal;

Which amendment was adopted.

The joint resolution read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 284. An act to change the name of the town of Springfield, in Wabash county;

Was read a second time, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 283. An act dissolving the bonds of matrimony between David Etherton and Mary Ann Etherton;

Was read a second time.

Mr. Henry moved to indefinitely postpone the bill.

The ayes and noes being demanded by two Senators;

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Coats, Conduit, Conner, Cornett, Goodnow, Hamrick, Henry, Huffstetter, Murphy, Murray, Orth, Simpson, Stewart, Verbrike, and Zenor—17.

Those who voted in the negative are,

Messrs. Berry, Cassatt, Chenowith, Day, Davis, English, Green, Handy, Hardin, Holloway, Howel, Houghton, Hubbard, James, Malott, Miller, Milligan, Millikin, Morrison, Osborn, Randall, Read, Rousseau, Taber, Walpole, Waters, and Winchell—27.

The bill was not indefinitely postponed.

The bill was read a third time.

The question being on the passage of the bill,

Senators Orth and Murphy demanded the ayes and noes;

Those who voted in the affirmative are,

Messrs. Berry, Cassatt, Conner, Day, Davis, English, Green, Handy, Hardin, Holloway, Howel, Houghton, Hubbard, James, Miller, Milligan, Millikin; Montgomery, Murray, Randall, Read, Rousseau, Taber, Walpole, Waters, and Winchell—26.

Those who voted in the negative are,

Messrs. Barbour, Beard, Chenowith, Coats, Conduit, Cornett, Goodnow, Hamrick, Henry, Huffstetter, Malott, Morrison, Murphy, Orth, Osborn, Stewart, Verbrike, and Zenor—18.

The bill passed.

Ordered, That the Secretary inform the House thereof.

No. 292. An act to locate a State road therein named;

Was read a second time, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 302. A joint resolution giving the thanks of the Legislature to the officers and soldiers, who have been, or who are now in Mexico;

Was read a second time, the rules suspended, the joint resolution read a third time.

The question being on the passage of the joint resolution,

Senators Stewart and Henry demanded the ayes and noes:

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Cassatt, Chenowith, Coats, Conner, Cornett, Day, Davis, English, Ellis, Goodnow, Green, Hamrick, Handy, Hardin, Henry, Howel, Houghton, Huffstetter, James, Miller, Milligan, Millikin, Montgomery, Morrison, Murray, Osborn, Randall, Read, Rousseau, Simpson, Stewart, Taber, Verbrike, Walpole, Waters, and Zenor—38.

Those who voted in the negative are,

Mr. Holloway—1.

The joint resolution passed.

Ordered, That the Secretary inform the House thereof.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following reports:

MR. PRESIDENT:

The committee on enrolled bills have compared enrolled bills of the Senate Nos. 110 and 155, with the engrossed, and find them correctly enrolled.

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor for his approval and signature bills of the Senate Nos. 165, 110, 27, 146, and 38, and bills of the House Nos. 13, 76, 279, 286, 281, and 217.

The following message was received from the House by Mr. Ward their clerk.

Mr. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House have passed the following engrossed bills of the Senate without amendment:

No. 69. An act to repeal an act entitled "an act for the relief of the Miami Indians," approved February 3, 1841;

No. 97. An act relating to the election of President and Vice President of the United States;

Mr. Hardin, chairman of the committee on enrolled bills, submitted the followlng report:

MR. PRESIDENT:

The committee on enrolled bills have compared enrolled bill of the Senate No. 139 with the engrossed, and find it correctly enrolled.

The Senate adjourned.

WEDNESDAY MORNING, FEBRUARY 9, 1848.

The Senate assembled.

Reading the journal was dispensed with.

Mr. Murray made the following report from the committe on claims:

MR. PRESIDENT:

The committee to whom was referred bill No. 358, of the House of Representatives, have had the same under consideration, and have directed me to report it back and recommend its passage.

The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House have concurred in the amendment of the Senate to House bill

No. 358. An act providing for the payment of certain moneys to Justus C. Alvord and Homer King, and for other purposes.

Mr. Day submitted the following report from the committee on claims:

MR. PRESIDENT:

The committee on claims, to whom was referred House bill No. 55, for the relief of Collins Adams, have had the same under consideration, and have directed me to report the bill back and recommend its passege.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Leave being granted,

Mr. Houghton presented a petition praying the establishment of an eye infirmary; which,

On motion by Mr. Houghton,

Was referred to the committee on finance.

Mr. Morrison, chairman of the committee on finance, submitted the following report:

MR. PRESIDENT:

The committee on finance, to whom was referred bill of the Senate No. 295, entitled "an act in relation to mortgages due to the treasury fund and the Indianapolis fund," have had the same under consideration, and directed me to report the bill back to the Senate, and respectfully recommend its passage.

Which bill was read a second time and ordered to be engrossed for a third reading.

Mr. Murray submitted the following report from the committe on finance:

MR. PRESIDENT:

The committee to whom was referred bill No. 15, of the House of Representatives, have had the same under consideration, and directed me to report that it is inexpedient to legislate upon the subject, and ask to be discharged from the further consideration of the subject.

Which report was concurred in by the Senate.

On motion,

Leave of absence was granted to Mr. Orth, from to-morrow, for the remainder of the session.

Mr. Robinson submitted the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred bill of the Senate No. 286, have, according to order, had the same under consideration, and have directed me to report the same back to the Senate, and respectfully recommend its passage.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the Speaker has signed the following enrolled bill of the House, to wit:

No. 117. An act relative to the charter of the city of Indianapolis;

Which I am directed to bring to the Senate for the approval of the President thereof.

Whereupon the President affixed his signature to said enrolled bill, and it was delivered to the committee on enrolled bills to present to his Excellency the Governor for his approval and signature.

Mr. Robinson submitted the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred bill of the Senate No. 20, have, according to order, had the same under consideration, and have directed me to report said bill back to the Senate, and recommend that it be indefinitely postponed, and respectfully ask to be discharged from the further consideration thereof.

Which report was concurred in by the Senate, and the bill indefinitely postponed.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary, to which was referred the petition of John G. Burns praying for a change in the law relating to marriage contracts, have had the same under consideration, and instructed me to report that legislation on the subject is inexpedient, and ask to be discharged from the further consideration of the subject.

Which report was concurred in by the Senate, and the committee discharged.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary, to which was referred joint resolution of the Senate No. 212, in reference to making certain deeds for canal lands, have had the same under consideration, and instructed me to report the same to the Senate and recommend its passage.

Which joint resolution was ordered to be engrossed for a third reading.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

Mr. President:

The committee on the judiciary, to which was referred Senate bill No. 297, entitled "A bill to change the time of holding the Cass circuit court," have had the same ucder consideration, and instructed me to report the same to the Senate and recommend that it be laid on the table.

Which report was concurred in by the Senate, and the bill laid on the table.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

Mr. President:

The committee on the judiciary, to which was referred Senate bill No. 296, entitled "A bill for the relief of replevin bail," have had the same under consideration, and instructed me to report the same to the Senate and recommend its passage.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

Mr. President:

The committee on the judiciary, to which was referred the petition of sundry citizens of Fountain county in reference to a change in the license law, have instructed me to report to the Senate that legislation on the subject is inexpedient, and ask to be discharged from the further consideration of the same.

Which report was concurred in by the Senate, and the committee discharged.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

Mr. President:

The committee on the judiciary, to which was referred Senate bill No. 291, entitled "A bill to authorize the administrator of John

Fischli, late of Jackson county, to sell certain real estate therein named in said county," have had the same under consideration, and instructed me to report the same to the Senate and recommend it to be laid on the table, and ask to be discharged from the further consideration of the same.

The committee discharged, and,

On motion by Mr. Orth,

The bill referred to a select committee.

Senators English, Green, Osborn, Read, and Barbour were appointed said committee.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

Mr. President:

The committee on the judiciary, to which was referred bill of the Senate No. 222, entitled "A bill relative to the practice of the law," have instructed me to report the same back, and recommend that it be laid on the table, and that 500 copies thereof be printed, in pamphlet form, for the use of the Senate.

Which report was concurred in by the Senate, and 500 copies ordered to be printed.

Mr. Orth made the following report from the committee on the judiciary:

Mr. President:

The committee on the judiciary, to whom was referred a resolution of the Senate instructing them to institute an inquiry to ascertain whether the trustees of the Wabash and Erie canal, or any person acting under their authority, have been buying and selling any canal land scrip contrary to the provisions of the act supplementary to an act to provide for the funded debt of the State, &c., have, according to order, had the subject under consideration, and instructed me to report, that they caused to come before them sundry witnesses, whose testimony was received by the committee on the subject embraced in the resolution of the Senate. The portion of the law supposed to have been violated is found in the laws of 1847, page 16, and reads as follows, viz: "That said trustees, and each and every one of them, or any other person or persons, by or on behalf of the subscribers, &c., shall be, and they are hereby, expressly prohibited from buying and selling any canal land scrip," &c.

There was no evidence before the committee proving that said trustees, or any person by or on their behalf, had bought or sold any canal land scrip, or had in any manner been dealing in the same contrary to the provisions of said act.

The committee are satisfied, however, from said testimony, that Mr. John W. Wright, the clerk in the land office at Logansport, appointed by said trustees, has frequently since he held such office, bought canal land scrip at its market value, which, during all that time, was below its *par value*. That such scrip was oftentimes bought by Mr. Wright on behalf and as the agent of persons who were indebted to said office, and was by him, as their agent, paid over towards such indebtedness; that Mr. Wright received a portion of the discount or profit of such scrip.

The committee also learned that Mr. Wright, on several occasions while acting as such clerk, received par funds in payment of dues at said office, and allowed to the person thus paying the difference between the par funds and the market value of the scrip; as for instance—when the market value of scrip was seventy cents on the dollar, he received seventy cents in par funds, and gave to the person thus paying, a credit on the books of the office for one dollar. This deficit in the funds of the office, could of course only be supplied by the clerk, subsequently purchasing scrip and placing the same among the funds of said office.

The clerk here not only used the funds of the office, but also the credit of the office, to engage in a species of brokerage for his individual benefit.

This conduct on the part of the clerk, upon being made known to the board of trustees, was by them disapproved, and they adopted a resolution prohibiting said clerk from further dealing in said scrip, either directly or indirectly. Since the adoption of said resolution, there has been but one instance of its violation, and the committee trust it may be hereafter strictly observed.

There is a manifest impropriety in any person connected with said land office, engaging directly or indirectly in this system of speculation, but inasmuch as the trustees have taken measures to remedy the evil, the committee is of the opinion that further action on their part is unnecessary, and therefore ask to be discharged from the further consideration of the subject.

Which report was concurred in by the Senate, and the committee discharged.

Mr. Orth, chairman of the judiciary committee, submitted the following report:

MR. PRESIDENT:

The committee on the judiciary to which was referred a resolution of the Senate, instructing them "to institute an inquiry into the conduct of the trustees on the part of the bondholders of the Wabash and Erie canal, and the clerk of the land office at Logansport, for ascertaining whether said trustees have not violated the provisions of an act supplementary to 'an act to provide for the

funded debt of the State of Indiana, and for the completion of the Wabash and Erie canal to Evansville,' so far as said act prohibits the reception of canal land scrip in payment for lands, or on any account at any sum less than the face of such scrip and interest thereon, with power to send for persons and papers," have instructed me to report, that in accordance with the instructions of the Senate, they instituted such inquiry, and called before them as witnesses, Messrs. John W. Wright, Cyrus Taber, F. P. Randall, and Alphonzo A. Cole, who, after being sworn, were respectively examined, and their testimony received by said committee, touching the inquiry submitted by the Senate.

As the testimony of Mr. Wright covers all the facts that were elicited by the several witnessses, the committee deem it unnessary to report to the Senate the testimony of Messrs. Taber, Randall, and Cole.

Mr. Wright testified in substance, that he was clerk of the land office at Logansport, and had been such clerk since the establishment of said office at Logansport, in the month of July, 1847. That he received his appointment from the trustees of the Wabash and Erie canal, and acted under their authority and instructions. That shortly after entering upon the discharge of the duties of said office, he adopted the following rule in reference to receiving canal land script (commonly called "white dog") in payment for dues at said office, viz:—*That in receiving said scrip for the principal of debts due said office, he allowed the full amount of interest due on the scrip to the time such payment was made, but when such scrip was received in payment of any interest due at such office, and payment was made after such interest became due, he only allowed interest on said scrip to the time when the interest became due and payable to said office.*

That immediately upon the adoption of said rule, he informed Messrs. Blake and Palmer, two of the trustees of said canal, of the same, and asked their opinion of its propriety. That Messrs. Blake and Palmer in reply, informed him that they approved of said rule, and instructed him to receive payment according to its provisions. That since the adoption of said rule to this time, all the scrip received at said office, has been subjected to the operation of said rule. That the amount of scrip received up to the time of his settlement with said trustees, Dec. 1st, 1847, amounted to about $50,000, and the amount since received is about $4,000. Mr. Wright was unable to state what amount of interest on such scrip (white dog) had been lost by the persons paying the same at such office in consequence of said rule. That he did, as such clerk, exact the penalty of 10 per cent. on all forfeited lands as provided by law, with a few exceptions, except that such penalty (which was due on the first day of October) was not exacted when the interest was paid, at any time during the month of October. That he paid to said trustees at his settlement, all the scrip he re-received prior to that time, at the same rates it was received by him

under that rule, and was so by them reported to the State, as appears by their report.

The other witnesses examined by the committee, testified that they had each paid debts due at said land office, since the establishment of the rule referred to in Mr. Wrights testimony, and each lost a portion of the interest on the scrip thus paid in, but as the evidence of Mr. Wright fully establishes all the facts elicited by their examinatton, the committee did not deem it essential to report their testimony to the Senate.

Your committee further report, that Mr. Wright laid before them a record of canal scrip which he had deposited in the branch at Lafayette, of the State Bank of Indiana, the amount of which at the time of such deposite was $36,116, upon analyzing this record, it appears that the sum of $1,230 of said scrip was received at said land office, on which no interest at all was allowed, and that on the further sum of $2,060 of said scrip, only part of the interest due thereon was allowed.

These are the material facts that have been elicited by the committee, and in their opinion, are sufficient to advise the Senate fully in the premises, without resorting to other testimony that might be procured in corroboration.

That species of canal land scrip referred to in the resolution of the Senate, was issued at various periods under the authority of the State; was paid to contractors and others on the Wabash and Erie canal, and upon its face bears interest at the rate of six per centum per annum, and is receivable principal and interest, for all dues on account of lands sold for the construction of the Wabash and Erie canal, east of Tippecanoe river. This scrip after its issue was confined chiefly to that section of the State where those lands are situate, and formed to some extent a circulating medium. It found its way to the possession of that meritorious class of our citizens, who have become the owners and actual settlers of those lands, who sought it for the pnrpose of using it in the payment of their debts to the State for the lands thus purchased.

Prior to the passage of the law referred to in the resolution of the Senate, and the adoption of the rule by the trustees of said canal, the State of Indiana, in pursuance of her agreement, contained on the face of each number of said scrip, always received the full amount of the principal and interest due thereon at the time any such payment was made. This course, so compatible with public faith, was pursued by the State during the entire period; from the issuing of said scrip to the time of the transfer of said canal, under the provisions of the act above specified.

When the State of Indiana determined upon the policy embraced in the law referred to in the resolution of the Senate, and transferred to Trustees her canal, its lands and its revenues, she inserted a provision restraining such trustees in the exercise of their duty, to canform to this settled construction; and as if desirous of enforcing its observance strictly, provided that an infringement of the law in

this respect, should work a forfeiture of the office of such delinquent trustees, and render them forever thereafter incapable of holding such office.

The restraining provision of the law referred to, is to be found in the general laws of 1847, on pages 16 and 17, and reads as follows, viz:

"That said Trustees, and each and every one of them, or any other person or persons by or on behalf of the subscribers to or holders of any stock set over on said canal, shall be, and they are hereby expressly prohibited, from buying or selling any canal land scrip, or from receiving the same in payment for any land, or on any account at any sum less than the face of such scrip and interest thereon; *And provided further*, that no Trustee named in this act, shall either directly or indirectly be engaged or interested in any transportation or boat company on said canal: and upon violating any of the above provisions it shall work a forfeiture of his office and render him forever incapable of holding the office of Trustee."

This language is clear and explicit, and admits of but one construction. The Legislature intended to protect the rights of her citizens who were the holders of this scrip, as well as the faith of the State, and to remove from the Trustees and those who acted under their authority, all temptation to speculate upon those whose rights were transferred to their care and guardianship.

That the spirit and letter of this law has, by the adoption of the rule referred to in the testimony of Mr. Wright, been violated, is a proposition that cannot, under the facts here presented, be doubted. But while we are constrained, by a high sense of duty, to this conclusion, the committee hesitate not in saying, that inasmuch as Messrs. Blake and Palmer, two of said Trustees, sanctioned the adoption of said rule by Mr. Wright, and instructed him to enforce the same in his collections, his conduct subsequent to its sanction by the Trustees is free from censure. He was the agent of the Trustees in this respect, carrying out their wishes and instructions.

The committee will not attempt to show the evil consequences that may result from the adoption of this rule; but it is evident that while it withholds from the person paying this scrip to the proper officer, the rights he has acquired by the action of the State, it may on the other hand be the source of peculation and profit on the part of the officers through whose hands this scrip passes before it reaches the State Treasury, without any means of detection. Your committee do not wish to be understood as intimating that such has been the case, but that such a course of construction and action may lead to it, is very apparent.

Inasmuch as the Legislature has, during the present session, passed a law, punishing by indictment any infraction of the law in question, and trusting that the decided expression of disapprobation already given by the State, through her constituted authorities, of the course adopted by the Trustees in this respect, will deter any future violations. Your committee content themselves by offering to the

Senate for its adoption the following resolutions, and ask to be discharged from the further consideration of the subject.

Resolved, That the Trustees of the Wabash and Erie Canal, in their refusal to allow full interest on the canal scrip up to the time the same was paid in on account of interest on the purchase money due on canal lands, in the opinion of this Senate, have not complied with the express terms of the contract, as indicated upon the face of said scrip, entered into by the State, and violated the letter and spirit of the act under which the said Trustees were appointed.

Resolved further, That in the opinion of this Senate, the provisions of said act and a regard for the faith of the State, require that interest be hereafter allowed on all canal land scrip, to the time of paying the same at the proper land office; and that justice and good faith demand that in all cases where interest has been disallowed by said Trustees, that the same should be promptly paid over to the persons entitled thereto.

Which report was concurred in by the Senate, and the resolution adopted, the committee discharged.

Mr. Osborn entered the following dissent:

Mr. Osborn dissents from so much of the above report as exempts Mr. Wright from all blame in refusing to allow interest after being so directed to do by Messrs. Blake and Palmer, because they only acquiesced in the suggestions made by him, and the rule was adopted by him. And there is no evidence to my knowledge, that said Trustees did approve of the rule in their official capacity.

A. L. OSBORN.

Mr. Hardin, chairman of the committee on the affairs of the town of Indianapolis, submitted the following report:

MR. PRESIDENT:

The committee on the affairs of the town of Indianapolis, to which was referred bill of the House No. 135, in reference to vacating certain streets and alleys therein named, have had the same under consideration, and have directed me to report the same to the Seeate, and recommend that it be laid on the table.

Which report was concurred in by the Senate; and,

The bill laid on the table.

Mr. Millikin, chairman of the committee on corporations, submitted the following report:

MR. PRESIDENT:

The committee on corporations, to whom was referred bill of the

House No. 128, granting the citizens of Aurora, in Dearborn county, a town charter, and also a petition and two remonstrances on the same subject, have had the same under consideration, and directed me to report the bill back to the Senate, aud recommend its passage.

Which bill was read, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Cornett, chairman of the committee on benevolent institutions, submitted the following report:

MR. PRESIDENT:

The committee on benevolent institutions of the State, to whom was referred bill No. 344, of the House, entitled, "a bill for the more speedy completion of a portion of the Indiana Hospital for the Insane," have had the same under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage.

Mr. Morrison offered the following amendment:

Amend by striking out from seetion second, all that follows after the word "treasury," in the sixth line of the same.

2d. Strike out the word "said" in the third line of the third section.

On motion by Mr. Cornett,

The amendment was laid on the table.

The rules were suspended, the bill read a third time, and passed.

Ordered, That the secretary inform the House thereof.

The following message was received from his Excellency the Governor:

To the Senate of Indiana:

GENTLEMEN:—I herewith return bill No. 120, entitled, "an act for the relief of Patrick McGinley" which originated in your body, with the reasons which have convinced me that it ought not to become a law of the land, and which have constrained me therefore to withhold from it my signature of approval.

My time has been so much occupied with an examination of a multitude of bills, caused by the near approach of your final adjournment, and with my other public duties, that my notice of the bill must necessarily be quite brief.

The bill provides that the claim of Patrick McGinley against the State, for materials furnished for, and work done on the Silver Creek

bridge, in Floyd and Clark counties, shall be referred to three arbitrators, appointed by the Governor, two of whom shall be men of legal knowledge—that the award or decision of them, or of a majority of them, made, shall be in writing, and filed in the clerk's office of the Floyd circuit court; that the same shall be final unless appealed from within thirty days to the supreme court, and that on presenting the final award to the Auditor of State, he shall issue his warrant for the amount which may be allowed to McGinley, on the Treasurer, who shall pay the same "out of any moneys not otherwise appropriated." On reference to a decision of the Floyd circuit court, rendered on this claim in 1839, it appears that by the terms of the present bill, the arbitrators would have it in their power to award to McGinley, twenty thousand dollars against the State. Before authority is parted with for that purpose, it should satisfactorily appear that the claim is *presumptively* a good one. Every such investigation is attended with expense, and the State should not authorize it unless there is a plausible ground of complaint. It is impracticable for the Legislature or the Executive to *know* whether the claim is well or ill founded, and the argument, for thus in effect asking the State to permit a suit to be brought against herself, no doubt is, to remove that uncertainty, by a formal aud legal investigation.

But that investigation has already been afforded, and afforded too some eight years ago. Experience has already abundantly shown that too frequently when a State authorizes a suit to be brought against herself, she is the loser,. In such controversies the State is weak and the individual is strong.

If the State as a litigant gains a suit, it is much stronger evidence that justice required it, than it would be in the case of an individual. I have not time to enumerate all the reasons for this, but they are known to every member of the bar, of standing and experience.

This claim is ten years old. It is founded on transactions which happened as long ago as 1837. It grew out of the disastrous internal improvement system, so unfortunately authorized by the State in 1835, '36. The claimant contracted to build the bridge over Silver Creek, already referred to, in March 1837.

After proceeding with his work till towards the close of the year, and after having been paid thereon, the sum of $21,814 20, his contract was finally declared abandoned by the engineer, as by the terms of the contract itself, the engineer was authorized to do. The complaint is, that the claimant is yet entitled to damages for materials furnished for, and work done on the bridge. The defence is that he has been paid more already, than he was entitled to receive according to his contract.

The matter was first referred by the claimant, for redress, to the board of internal improvement.

The facts were then fresh in the memory of all concerned, and the witnesses had not died or removed to distant parts, and yet even then the board decided against to the claim.

Upon the application of the claimant afterwards to the Legislature a joint resolution was passed as early as at the session of 1838—9 allowing him to bring suit against the State by bill in chancery, in theFloyd circuit court, for the full amount of his claim.

This was passed under a strong and earnest protest against it, on the part of no less than 44 members of the House of Representatives. [House Jousnal of 1838—9, page 452.]

Having made this reference it is unnecessary to repeat in this place, objections which were then urged, and many of which I think eminently worthy of consideration, but I desire to say that if they were then pertinent, they are yet in full force, with the additional ones, on which I will now proceed to remark.

The suit was brought, and on the 6th day of May 1840, a decree was rendered by that court against the State for $13,500 and costs. From this decree, an appeal was taken to the supreme court, where it was finally reversed and set aside, "for the want of equity."

Since the bill under consideration was presented to me, I have, from a strong desire to do justice, looked through the voluminous record, which was before the supreme court, examining all the evidence, verbal and documentary, as well as an elaborate brief on each side of the cause, also on file, the productions of able counsel, and I feel bound to say, that in my judgment, the evidence, as to numbers, and professional skill and experience, and as to its specific and pointed bearing, is in accordance with the decision of the supreme court. and in favor of the State.

But it is not perhaps necessary to decide on the merits of the controversy, and injustice it is admitted, *may* have been done to the claimant, for every human tribunal is fallible, still for every practical purpose the *presumption* must be, that the final judgment or decree of a court is right, and that it settles the controversy. It is the interest of the community that litigation shall sometime cease. If the present bill should become a law, another investigation be ordered, and another decision be had against McGinley, what will prevent him from again applying to the Legislature for the privilege to sue the State a third time? What reason could then be urged against it, which cannot now be urged? Would any thing satisfy this importunity, this wearying of the State, but final success? What encouragement would be held out to a large class of similar claims? After the claimant has once had the privilege of sueing the State with all the advantages it confers, and has failed to establish his claim in the judgment of the highest judicial tribunal, it does seem to me that this, lately bankrupt State, weak as she must be admitted to be in such controversies, should enjoy at least the privilege of other litigant parties, and be suffered to finally repose. This view is so manifestly just, that by way of obviating it, it has been said that one, perhaps two, of the judges of the court which reversed the decree, have expressed the opinion that the claimant had suffered injustice in their decision.

But aside from its great improbability, I would not, and especially in a communication like the present, even allude to such a rumor, except for the purpose of declaring my entire disbelief of it. At the same time I desire to exculpate the gentlemen who have communicated the rumor to me, from the slightest intentional misrepresentation, of which, I am satisfied that they are incapable. I am too well aware how natural is the transition from misapprehension, to exaggeration and injustice.

The whole record, the whole evidence, the whole argument was before that court, and it would, in my judgment be as unjust to its members, as it would be against the soundest policy, to suppose that they did not give the cause its merited examination and full consideration.

Another strong objection to my mind against the claim is, that it is stale. It is no argument against this objection that the claimant is poor. Whatever obstacle poverty may be to prosecuting a claim in court, it is none whatever to an application to the legislature. That body cannot justly be charged with *illiberality* and especially as to private claims. There has been every encouragement therefore, to apply to it for relief, and the only natural and safe supposition, under the circumstances, is, the conscious worthlessness of the claim itself.

Several other objections have occurred to my mind touching the limitations as to the mode of investigation, &c. &c., which I have not time to dwell upon. But I cannot omit saying that I think it a radical defect in the bill, independent of the above objections, that while it may take $20,000 from the Treasury, it makes no provision to supply its loss by increasing the tax list correspondingly. The large appropriations at the last session, made it necessary for the State agent to resort to his collections from the suspended debt, to meet the State's interest due in July last, under the late arrangement of the public debt. The sound and safe rule, and one which I beg may never be violated in this State, is, never to incur a debt without making provision at the same time for its ultimate payment.

It is painful to raise objections to bills for private relief. Our sympathies naturally flow towards the individual. The opposition of individuals is almost sure to follow a rejection, and there is nothing to stimulate in the performance of such a duty, but the abstract public welfare. An officer however, who can hesitate in such a case is unworthy of the confidence reposed in him, and is derelict in common gratitude to those who have honored him.

I trust I shall never be found wanting to the claims of justice and patriotism, in any such emergency.

As the claim is old, the facts not recent, and as the members have not had so full an opportunity of examining the former proceedings in the case as I have enjoyed, I hope no apology is necessary for again submitting the question to the General Assembly.

JAMES WHITCOMB.

Febuary 8th, 1848.

On motion by Mr. Davis,

A call of the Senate was ordered.

The Sergeant at arms was dispatched for the absentees.

The question being,—"shall the bill pass, notwithstanding the objections of His Excellency the Governor:"

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Cassatt, Chenowith, Coats, Conner, Day, Davis, Ellis, Goodnow, Hamrick, Holloway, Howel, Houghton, James, Martin, Miller, Montgomery, Murphy, Murray, Orth, Osborn, Rousseau, Simpson, Stewart, Verbrike, Walpole, Waters, Winchell, and Zenor—30.

Those who voted in the negative are,

Messrs. Berry, Conduit, Cornett, English, Green, Handy, Hardin, Henry, Hubbard, Huffstetter, Malott, Millikin, Morrison, Randall, Read, Robinson, and Taber—17.

The bill was passed, notwithstanding the objections of the Governor.

Mr. Rousseau moved to reconsider the vote taken on the passage of the bill.

Mr. Davis moved the previous question,

Which was seconded by the Senate.

The question being on reconsidering the vote,

The ayes and noes were demanded by two Senators;

Those who voted in the affirmative are,

Messrs. Berry, Conner, Cornett, English, Goodnow, Green, Handy, Hardin, Henry, Hubbard, Huffstetter, Malott, Martin, Millikin, Morrison, Randall, Read, Robinson, Taber, and Walpole—20.

Those who voted in the negative are,

Messrs. Barbour, Beard, Cassatt, Chenowith, Conduit, Day, Davis, Ellis, Hamrick, Holloway, Howel, Houghton, Miller, Montgomery, Murphy, Murray, Orth, Osborn, Rousseau, Stewart, Verbrike, Waters, Winchell, and Zenor—24.

The vote was not reconsidered.

Leave being granted,

Mr. Coats submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred Senate bill No. 303, have had the same under consideration and directed me to report it back to the Senate, without amendment, and respectfully recommend its passage.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Read submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred bill of the House No. 146, to incorporate the Indiana canal company, have had the same under their consideration, and have made sundry amendments thereto, in which they desire the concurrence of the Senate, and when adopted recommend its passage, and ask to be discharged from the further consideration thereof.

Amend the first section of the bill by inserting the names of Samuel Meriwether and George F. Savitz as directors for the county of Clark, and John Austin and Wm. A. Wier as directors for the county of Floyd.

Fill the blank in section 19 with the word "five."

Strike out section 21 and insert the following:

SEC. 21. No higher rate of any ad valorem or other tax shall be imposed upon the stock or other property of said company, than is imposed upon stock or other property in the State in rateable proportion to its value or income.

SEC. 26. That the Southern or lower terminous of said canal, shall re-locate on the Ohio river as said canal company shall select: *Provided*, That it is and shall be necessary for said company before they construct said canal, to procure the consent of the Mayor and council of the city of New Albany, as to the location of said southern or lower terminus of the same.

Provided, Also, that said Mayor or Council shall not have the right to require the Southern or lower portion of said canal to terminate at a point on the Ohio river that may be deemed impracticable.

Amend by calling the "26th" the "27th" section.

Which amendments were concurred in by the Senate.

The rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Morrison, chairman of the committee on finance, submitted the following report:

MR. PRESIDENT:

The committee on finance, to whom was referred bill of the House No. 245, entitled "An act for the relief of Joseph R. Pratt," have, according to order, had the same under consideration, and directed me to report the same back to the Senate, and respectfully recommend that the bill be referred to the committee on claims;

Which report was concurred in by the Senate, and the bill referred to the committee on claims.

Mr. Martin submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred several petitions and remonstrances from many citizens of Steuben, on the subject of granting to the commissioners of said county the power and authority to take stock in the Buffalo and Mississippi Rail Road Company, and to raise a tax for that purpose, have had the same under consideration, and have directed me to report that it is, in their opinion, inexpedient to pass a bill to that effect, or to legislate upon the matter at the present session of the legislature, and respectfully request the Senate to concur in the report.

Which report was concurred in by the Senate, and the committee discharged.

The following message was received from His Excellency, the Governor, by Mr. James M. Sleeth, his private secretary:

To the Senate:

GENTLEMEN: — I herewith return the bill which originated in the Senate, (No. 65,) entitled "an act to vacate a portion of an addition to the town of Lafayette," with the objections to my approval of the same.

The bill *vacates* so much of the addition to that town, which was laid out by James Davis, as lies east of Marion street, and south of the Lafayette and Ft. Wayne State road. But it would seem that the same object can be obtained under a general law. By chapter 24, article 2, of the Revised Statutes of 1843, ample provision is made for the board of county commissioners (in the case of towns not incorporated, or which have not a corporation in active operation,) to vacate any *lot*, street, alley, common, or public square, or any part thereof. And where the town is incorporated, the same power to vacate is given to its corporate authorities. Sec. 14 makes provision for vacating a *town*, and sec. 15 for an *addition* to a town,

under the same regulations. The general law also requires notice to be given, which is necessary to guard against possible injustice. The proprietor himself, or those who have purchased from him, may be opposed to the vacation, and yet, if it is done by the legisluture, they may have no warning of the impending blow.

But, for other reasons, of a public nature, special legislation should be avoided as far as possible, and it can be avoided in the present case. I beg to refer to my former annual messages for a more detailed statement of objections to legislation of that character. I will merely say, now, that the immense and increasing mass of private bills must, to a great extent, withdraw the attention of members from that care and consideration of those great measures of general and pervading interest which they so much require and deserve. Hence, (and I feel impelled by a strong sense of duty to say it,) many of the bills passed give strong proof of haste and immaturity. And this would be of less consequence were it not that highly objectionable and even noxious provisions sometimes find their way into bills, which, it is presumed, escape the notice of members, hurried as they are by private legislation. The evil appears to be on the increase. The only means left of checking it in the present instance, is to withhold my signature, and to leave with the legislature the responsibility of passing the bill over my objections, if they think proper.

JAMES WHITCOMB.

February 9, 1848.

The question being on the passage of the bill notwithstanding the objections of His Excellency, the Governor,

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, James, Martin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Simpson, Verbrike, Winchell, Zenor—24.

Those who voted in the negative are,

Messrs. Barbour, Berry, Day, English, Ellis, Green, Handy, Hardin, Henry, Howel, Huffstetter, Malott, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, Walpole, Waters—22.

The bill did not pass.

Mr. Henry submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of Joseph W. Briggs, Ranson W. Aikin, and about 600 citizens of the county of

Sullivan, have had the same under consideration, and a majority of said committee have directed me to report the following bill, and recommend its passage:

No. 305. A bill for the relief of the sureties of Wm. Johnson.

Which was read the first time.

On motion,
The Senate adjourned.

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2 *o'clock, P. M.*

The Senate assembled.

No. 305,
Was taken up and read a second time.
Mr. Henry offered the following amendment:

Amend by inserting after the words "still remaining unpaid," the words, "and included in the amount of said judgment."

Which was adopted.
Mr. Walpole offered the following amendment:

Provided, however, That it shall be the duty of the judgment creditors to prove to the satisfaction of the commissioners aforesaid that the delinquent taxes for which this bill provides for the allowance of, has not been previously credited and allowed said creditors.

Which was adopted.
Mr. Robinson moved to strike out so much as affects the State Treasury.
Mr. Rousseau moved to lay the amendment on the table.
Senators Robinson and Walpole demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Berry, Cassatt, Chenowith, Coats, Conduit, Cornett, Davis, English, Ellis, Goodnow, Handy, Henry, Holloway, Howel, Houghton, Hubbard, James, Martin, Miller, Murphy, Orth, Osborn, Randall, Rousseau, Simpson, Waters, and Winchell—27.

Those who voted in the negative are,

Messrs. Barbour, Day, Green, Hamrick, Huffstetter, Malott, Mil-

ligan, Millikin, Montgomery, Read, Robinson, Stewart, Taber, Verbrike, and Walpole—16.

The amendment was laid on the table.
The question being on the engrossment of the bill,
Senators Robinson and Walpole demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Cassatt, Chenowith, Coats, Conduit, Cornett, Davis, English, Ellis, Goodnow, Green, Henry, Holloway, Howel, Houghton, Hubbard, James, Martin, Miller, Montgomery, Murphy, Orth, Osborn, Randall, Read, Rousseau, Simpson, Waters, Winchell—30.

Those who voted in the negative are,

Messrs. Day, Handy, Huffstteter, Malott, Milligan, Millikin, Robinson, Stewart, Taber, Verbrike, Walpole, Zenor—12.

The bill was ordered to be engrossed.
The rules being suspended, the bill read a third time.
The question being on the passage of the bill,
Senators Walpole and Robinson demanded the ayes and noes:

Those who voted in the affirmative are,

Messrs. Barbour, Cassatt, Chenowith, Coats, Conduit, Cornett, Davis, English, Ellis, Goodnow, Green, Hamrick, Henry, Holloway, Howel, Houghton, Hubbard, James, Martin, Montgomery, Murphy, Orth, Osborn, Randall, Rousseau, Simpson, Waters, and Winchell—29.

Those who voted in the negative are,

Messrs. Day, Handy, Hardin, Huffstetter, Malott, Miller, Milligan, Millikin, Read, Robinson, Stewart, Taber, Verbrike, Walpole, and Zenor—15.

The bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Hubbard submitted the following report from the committee on the State Library:

Mr. President:

The committee on the State Library, to which was referred bill of

the House No. 302, have had the same under consideration, and directed me to report the same back to the Senate and recommend its passage.

Which bill was ordered to a third reading.

Mr. Robinson, chairman of the committee on claims, submitted the following report:

Mr. President:

The committee to whom was referred bill of the House No. 245, for the relief of Joseph R. Pratt & Co., have directed me to report the bill back to the Senate and recommend its passage.

Which bill was ordered to a third reading.

The following message was received from his Excellency the Governor, by Mr. Sleeth, his Private Secretary:

Mr. President:

I am directed by the Governor to inform the Senate that he did, on this day, approve and sign the following bills, viz:

No. 70. An act for the relief of the heirs of Anthony Schutz, deceased;

No. 86. An act authorizing Peter King to build a mill-dam across the Mississineway river, in Wabash county;

No. 104. An act authorizing Thomas Ruble to build a mill-dam across the Mississineway river;

No. 83. An act to change the name of the town of Springfield, in Whitley county, to the name of Cherry Valley;

All of which originated in the Senate.

February 9, 1848.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

Mr. President:

The committee on enrolled bills have compared enrolled bills of the Senate Nos. 97, 144, 124, 69, 132, and 111 with the engrossed, and find them correctly enrolled.

The following message was received from the House of Representatives by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have passed engrossed bills thereof, entitled as follows:

No. 18. An act to amend the 137th section of article 3d, chapter 45, of the Revised Statutes of 1843;

No. 34. An act to change the mode of electing county commissioners in the county of Pike;

No. 89. An act to incorporate the Kosciusko, Elkhart, and Miami Railroad Company;

No. 114. An act to authorize the inspection of hay in the several counties of this State;

No. 211. An act authorizing the board of commissioners of Madison county to do a certain act;

No. 218. An act to amend an act entitled "An act to incorporate the Lawrenceburgh and Rushville Turnpike Company," approved January 19, 1846;

No. 290. An act to incorporate the Harrison, New Trenton, Rochester, and Brookville Turnpike Company;

No. 291. An act to authorize the voters of certain townships to sell their school lands;

No. 292. An act to relocate a part of the Richmond and Logansport State road in the county of Delaware;

No. 293. An act to locate a State road therein named;

No. 294. An act to locate a State road in Allen and Dekalk counties;

No. 295. An act regulating the sale of spirituous liquors in the town of Centreville, in Wayne county;

No. 296. An act to authorize the board of commissioners to lease the seminary in the county of Wayne;

No. 297. An act to incorporate the town of Clinton, in Vermillion county;

No. 298. A joint resolution of sympathy with Pope Pius the IXth, for his efforts in behalf of liberal reform in his dominions;

No. 301. An act to incorporate the Cambridge and Milton Turnpike Company;

No. 306. An act to legalize the acts of the probate judge of Lagrange county;

No. 307. An act concerning the duties of clerks of the circuit courts;

No. 309. An act defining the duties of the treasurer of the county of Shelby;

No. 311. An act providing for the procuring of additional copies of the Revised Statutes of 1843 in the county of Kosciusko;

No. 312. An act in relation to the duties of Auditor of State and Commissioners of Sinking Fund;

No. 317. An act in reference to the fees of the clerk of Sullivan county;

No. 318. An act for the relief of Dempsey Linton, of Randolph county;

No. 320. An act to reduce the fees of the clerk of the probate court in the county of Knox;

No. 321. An act to authorize the board of commissioners of the

county of Grant to order an election for an additional justice of the peace in centre township, and for other purposes;

No. 322. An act to authorize the board doing county business in the county of Dubois to levy or dispense with a road tax at their discretion;

No. 325. An act for the relief of Syria Aldrich;

No. 326. An act to amend the 76th section of chapter 15, article 3, of the Revised Statutes of 1843;

No. 329. An act for the relief of purchasers of school lands in the counties of Carroll and Clinton;

No. 332. An act to provide for the survey and record of roads in Elkhart county;

No. 333. An act to authorize the sale of the library of Decatur county;

No. 335. An act to extend the provisions of a certain act therein named to the counties of Jay and Blackford;

No. 240. An act declaring George W. Bowen successor in office to William Dehority, late a justice of the peace of Madison county;

No. 359. An act to establish an additional place of holding elections in Helt township, Vermillion county;

No. 361. An act authorizing Lebbeus Frisbie to build a bridge across Big Blue river at Milltown, in Crawford county;

In which the concurrence of the Senate is respectfully requested.

Bills No. 18, and 320, contained in the foregoing message;

Were read the first time.

The rules being suspended, the bills were read a second time, and referred to the judiciary committee.

No. 89. Contained in the foregoing message;

Was read the first time.

The rules being suspended, the bill was read a second time.

The rules being further suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Nos. 34, 114, 211, 218, 290, 292, 293, 294, 295, 296, 297, 298, 301, 306, 309, 311, 312, 317, 318, 321, 322, 325, 326, 329, 332, 333, 335, 340, 359, 361, 307, contained in the foregoing message;

Were severally read the first time.

The rules being suspended, the bills were severally read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

No. 291. Contained in the foregoing message;

Was read the first time.

The rules being suspended, the bill was read a second time, and referred to the committee on education.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill thereof:

No. 433. An act for the government of the Indiana Hospital for the insane;

In which the concurrence of the Senate is respectfully requested.

Which bill was read the first time.

The rules being suspended, the bill was read a second time, and referred to the committee on the benevolent institutions of the State.

On motion,

Leave of absence was granted to Mr. Simpson after to-morrow, (Thursday,) for the remainder of the session.

Message received from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed engrossed bills thereof, entitled as follows:

No. 107. An act in relation to the taking of a list of children in the county of Perry, for school purposes;

No. 163. An act to provide for the election of township assessors and township collectors in Jennings county, and for other purposes;

No. 223. An act to amend an an act entitled an act to provide for the construction of a Railroad from Martinsville, in Morgan county, to Franklin, in Johnson county, approved January 20, 1846;

No. 350. An act forming sections 4, 5, 6, 7, 8, 9, 16, 17, and 18, in township 14 north, of range 6 east, in one school district;

No. 352. An act to incorporate the Lafayette, Monticello, Winnemac, and Michigan City Railroad Company;

No. 356. A joint resolution relative to the Indiana State Historical Society;

No. 357. A joint resolution on the subject of the laws of the Indiana territory, for the years 1801, 1802, 1803, and 1804.

In which the concurrence of the Senate is respectfully requested.

Nos. 107, 223, 350, 352, 356, and 357, contained in the foregoing message;

Were severally read the first time.

The rules being suspended, the bills were severally read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

The ayes and noes being demanded by two Senators, on the passage of No. 157:

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Coats, Conduit, Conner, Day, Davis, English, Ellis, Green, Holloway, Howel, Houghton, Hubbard, Martin, Milligan, Montgomery, Murphy, Murray, Osborn, Rousseau, Simpson, Taber, Walpole, Waters, Winchell, and Zenor—28.

Those who voted in the negative are,

Messrs. Barbour, Berry, Cornett, Goodnow, Handy, Hardin, Huffstetter, James, Malott, Miller, Millikin, Morrison, Orth, Read, Robinson, Stewart, and Verbrike—17.

No. 163. Contained in the foregoing message;

Was read the first time.

The rules being suspended, the bill was read a second time, and laid on the table.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed engrossed bill of the Senate, without amendment, of the following title:

No. 302. An act making provision for the payment of the witnesses who attended before the judiciary committee of the Senate, during the present session;

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill thereof:

No. 450. An act amendatory of the charter of the city of Indianapolis;

In which the concurrence of the Senate is respectfully requested.

Which bill was read the first time.

The rules being suspended, the bill was read a second time, and referred to a select committee, composed of

Senators Stewart, Millikin, and Conner.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Se-

nate that the House have passed the following engrossed bills of the Senate, with amendments:

No. 136. An act authorizing the establishment of additional branches of the State Bank of Indiana.

No. 141. An act regulating the granting of license to retail spirituous liquors in the counties of Gibson and Posey.

In which amendments of the House the concurrence of the Senate is respectfully requested.

Which amendments were concurred in by the Senate.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 449. An act making provisions for the payment of witnesses.

No. 452. An act to amend the 4th section of article one of chap. 6, of the Revised Statutes of 1843.

No. 453. An act to revive the act entitled "An act to authorize certain individuals therein named to build a bridge across the Kankakee river at Sherwood's ferry, in Porter county," approved February 15, 1840.

No. 455. An act to legalize a certain act of the Board of Commissioners of Madison county.

No. 456. An act to amend "An act to provide for the election of Prosecuting Attorneys by the people," approved Jan. 27, 1847.

No. 457. An act giving further time to the widow of David Browning, deceased, and to the creditors of the estate of said decedent, to file claims against said estate.

No. 459. An act to incorporate the Peru and Wabash free bridge company.

No. 461. An act to incorporate the Henry county Turnpike company.

No. 465. A act to legalize the incorporation of the Mount Hope Cemetery, near Peru, and for other purposes.

No. 468. An act extending the provisions of an act therein named to the county of Wells.

In which the concurrence of the Senate is respectfully requested.

No. 449. Contained in the foregoing message,

Was read the first time, and the rules suspended, the bill read a second time and referred to the committee on claims.

No. 452. Contained in the foregoing message,

Was read the first time and the rules suspended, the bill read a second time and referred to the judiciary committee.

No. 455. Contained in the foregoing message,

Was read the first time, and the rules suspended, the bill read a second time, and,

On motion,

Laid on the table.

The following message was received from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bills of the House:

No. 33. An act to amend an act entitled "An act to incorporate 'The College Corner and Liberty Turnpike company, and the Liberty and Abington Turnpike company,'" approved January 15, 1844, and all other acts amendatory thereto.

No. 282. An act to locate a certain State road therein named from Hellonsville, in Lawrence county, throngh Brown and Jackson county, to Columbus, in Bartholomew county.

No. 283. An act to incorporate the Council Grove minute men.

No. 288. An act to locate a State road in the counties of Allen and Wells.

Also the following enrolled bill of the Senate:

No. 139. An act for the relief of A. G. Selman.

All of which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bills, and they were delivered to the committee on enrolled bills to present to his Excellency the Governor for his approval and signature.

The following message was received from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the Speaker has signed the following engrossed bill of the House, to wit:

No. 358. An act providing for the payment of certain moneys to Justus C. Alvord and Homer King, and for other purposes;

Which I am direcred to bring to the Senote for the signature of the President thereof.

Whereupon the President affixed his signature to said bill.

Leave being granted,

Mr. Murray introduced,

No. 306. An act legalizing the sale of lands delinquent for the non payment of taxes in Adams county;

Was read the first time, the rules suspended, the bill read a second time and referred to a select committee.

Messrs. Randall, Murray and Milligan were appointed said committee.

Mr. Davis presented a communication from Captain Sanderson, of the Spencer Greys, of 2d regiment Indiana Volunteers, relative to presenting the flag of the company borne by them at the battle of Buena Vista;

Which was referred to a select committee of one from each Congressional district:

Messrs. 2d, Davis, 1st Miller, 3d Green, 4th Murphy, 5th Barbour, 6th Rousseau, 7th Henry, 8th Montgomery, 9th Osborn, 10th Randall.

Mr. Holloway presented a petition of a number of the ladies of Cambridge City, praying a charter with the accompanying bill:

No. 307. A bill to amend an act entitled "An act to authorize the formation of voluntary associations," approved January 27, 1847.

The bill was read the first time, and the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Hubbard introduced,

No. 308. An act amendatory of an act entitled "An act to incorporate the Rushville and Lawrenceburgh Railroad company;"

Was read the first time, and the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

By Mr. Morrison:

No. 309. A bill for the benefit of the widow of the late William H. May, deceased.

Was read the first time, and the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Hardin submitted the following report from the committee on enrolled bills:

MR. PRESIDENT:

The committee on engrossed bills have compared bill of the Senate No. 302 with the engrossed, and find it correctly enrolled.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor for his approval and signature, bills of the House Nos. 283, 288, 282, and 33, and the bill of the Senate No. 139.

The Senate adjourned.

THURSDAY MORNING, FEBRUARY 10, 1848.

The Senate assembled.

Reading the journal was dispensed with.

On motion by Mr. Robinson,

250 copies of the report of Mr. Montgomery from a select committee to whom was referred so much of the report of the Trustees of the Wabash and Erie canal and accompanying documents, as related to the construction of the side cuts at Independence and Williamsport, was ordered to be printed.

The previous order of business was suspended.

Mr. Rousseau introduced,

No. 310. An act to grant a divorce to Allen Gibbons and Susan Gibbons;

Was read the first time, the rules suspended, the bill read a second time, and ordered to a third reading.

Mr. Davis submitted the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the letter of Captain William L. Sanderson, have had the same under consideration, and have instructed me to report to the Senate the following preamble and joint resolution, and recommend its passage.

No. 311. A joint resolution.

Was read the first time, the rules suspended, the joint resolution was read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Conner submitted the following report from a select committee:

MR. PRESIDENT :

The select committee to which was referred the petition of sundry citizens of Handcock and Hamilton counties, in relation to the establishment of a certain State road therein named, together with a remonstrance against the same, have directed me to report the following bill, and recommend its passage ;

No. 312. A bill to establish a certain State road therein named ;

Was read the first time, the rules suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Cornett,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the execution law, that executions coming into the hands of constables shall not act as liens on the property of defendents until levy is made, with leave to report by bill or otherwise.

Leave being granted,

Mr. James introduced,

No. 313. A bill to authorize clerks of courts having a seal, to take acknowledgements of deeds in other States ;

Which was read the first time, the rules suspended, the bill read a second time.

Mr. Walpole moved to amend the bill by striking out the 3d section of the bill ;

Which was adopted.

On motion by Mr. Ellis,

The bill was referred to the judiciary committee.

Leave being granted,

Mr. Green introduced,

No. 314. A bill concerning incorporated companies in the State of Indiana ;

Which was read the first time, the rules suspended, the bill read a second time, and referred to the committee on corporations.

Leave being granted,

Mr. Holloway introduced,

No. 315. A bill relative to pedlers license ;

Which was read the first time, the rules suspended, the bill read a second time, and referred to the committee on finance.

The following message was received from the House of Representatives, by Mr. Ward, their Clerk :

MR. PRESIDENT :

I am instructed by the House to inform the Senate that the House of Representatives have passed the following engrossed bill thereof :

No. 56. An act to provide for the improvement of common schools ;

In which the concurrence of the Senate is respectfully requested.

No. 56, contained in the message, was read the first time.

Mr. Henry moved to suspend the rules, and read the bill a second time.

Senators Murphy and Zenor demanded ,he ayes and noes.

Those whe voted in the affirmative are,

Messrs. Beard, Berry, Chenowith, Coats, Conduit, Cornett, Day, Davis, English, Ellis, Green, Hamrick, Handy, Henry, Holloway, Houghton, Hubbard, Malott, Millikin, Montgomery, Morrison, Murray, Orth, Osborn, Randall, Read, Robinson, Verbrike, Walpole, Waters, and Winchell—31.

Those who voted in the negative are,

Messrs, Barbour, Cassatt, Conner, Goodnow, Hardin, Howel, Huffstetter, James, Miller, Milligan, Murphy, Stewart, and Zenor —13.

The rules were suspended, the bill read a second time.

On motion by Mr. Henry,

The bill was referred to the committee on education.

Mr. Conner moved to suspend the previous order of business to make a report from a select committee ;

On which Senators English and Walpole demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Conner, Day, Davis, Ellis, Goodnow, Green, Hamrick, Hardin, Henry, Holloway, Houghton, Huffstetter, Malott, Marsh, Martin, Miller, Milligan, Montgomery, Morrison, Murphy, Orth, Osborn, Randall, Robinson, Stewart, Verbrike, Walpole, Waters, and Winchell—36.

Those who voted in the negative are,

Messrs. Cornett, English, Handy, Howel, Hubbard, James, Millikin, Murray, Read, Rousseau, Taber, and Zenor—12.

The rules were suspended.

Mr. Conner submitted the following report from a select committee :

MR. PRESIDENT:

The select committee, to whom was referred bill of the House No. 450, entitled "a bill amendatory of the charter of the city of Indianapolis," have had the same under consideration, and have instructed me to report the same back to the Senate with one amendment, which, when adopted, they recommend its passage:

Add the following proviso to the 1st sec. of the bill:

Provided, however, That the Common Council of the town of Indianapolis shall not either directly or indirectly contract any debts over and above the amount of money in the treasury of said corporation, or the taxes laid for the current year;

Which amendment was concurred in by the Senate.

The bill was read a third time and passed.

Mr. Walpole moved to amend the title of the bill by adding:

"And conferring power on the city authority to levy and collect a specific tax to prevent the further spread of the small pox;"

Which was not adopted,

Mr. English moved to re-consider the vote,

Which was agreed to.

The question being on the adoption of the amendment,

Senators Orth and Stewart demanded the ayes and noes.

Those who voted in the affimative are,

Messrs. Berry, Cassatt, Coats, Conduit, Conner, Cornett, English, Ellis, Goodnow, Green, Handy, Howel, Hubbard, James, Martin, Miller, Milligan, Millikin, Murphy, Murray, Robinson, Rousseau, Simpson, Taber, Walpole, Winchell, and Zenor—27.

Those who voted in the negative are,

Messrs. Barbour, Chenowith, Day, Davis, Hamrick, Hardin, Henry, Holloway, Houghton, Huffstetter, Malott, Montgomery, Morrison, Orth, Osborn, Randall, Read, Stewart, and Verbrike—19.

The amendment was adopted.

No. 456. An act to amend "an act to provide for the election of prosecuting attorneys by the people," approved January 27, 1847;

Which was read the first time, the rules being suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Martin,

The vote taken on amending the title of bill of the House No. 450, was re-considered.

On motion by Mr. Orth,

The amendment was laid on the table.

On motion,

The Senate adjourned.

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2 o'clock P. M.

Senate assembled.

The previous order of business being suspended,

Mr. Howel introduced

No. 316. An act to incorporate the Indiana Iron Manufacturing company;

Which was read the first time, the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Walpole introduced

No. 317. An act to amend an act entitled "an act for the relief of Elias Murray," approved January 27, 1847;

Which was read the first time, the rules suspended, the bill read a second time and referred to the committee on finance.

Mr. Morrison Introduced

No. 318. An act explanatory of an act entitled "an act to amend an act for the benefit of the volunteers for the Mexican war, and for the relief of county treasurers," approved January 13, 1848;

Which was read the first time, the rules suspended, the bill read a second time.

Mr. Berry moved to amend the bill by adding:

SEC. 2. This act to be in force from and after its publication in the State Sentinel;

Which amendment was adopted.

The rules further suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Henry moved to take from the table the report of the superintendent of common schools;

Which was taken up and referred to the committee on education.

Mr. Robinson, chairman of the committee on claims, submitted the following report:

MR. PRESIDENT:

The committee on claims, to whom was referred bill of the House No. 449, entitled an act making provisions for the payment of witnesses, have, according to order, had the same under consideration,

and have directed me to report said bill back to the Senate, and respectfully recommend its passage.

The rules being suspended, the bill was read a third time and and passed.

Ordered, That the Secretary inform the House thereof.

Leave of absence was granted to Mr. Conner, from Saturday next, for the remainder of the session.

The following message was received from His Excellency, the Governor, by Mr. James M. Sleeth, his private secretary:

MR. PRESIDENT:

I am directed by the Governor, to inform the Senate that he did, on the 9th inst., approve and sign the following bills, to-wit:

No. 139. Entitled an act for the relief of A. G. Selman;

No. 302. Entitled an act making provisions for the payment of the witnesses who attended before the judiciary committee of the Senate, for the purpose of giving evidence relative to buying and selling canal land scrip, and the receiving the same without allowing full interest thereon, by the trustees of the Wabash and Erie canal, or their authorized agents;

Both of which originated in the Senate.

February 10th, 1848.

Leave of absence was granted to Mr. Rousseau for this evening.

Mr. Murray submitted the following report, from a select committee:

MR. PRESIDENT:

The committee to whom was referred the petition praying for an act incorporating the order of the "Oriental Evanic Order of Brothers," have had the same under consideration, and direct me to report the following bill:

No. 319. An act to amend an act entitled an act to authorize the formation of voluntary associations, approved January 27, 1847;

Was read the first time.

The rules being suspended, the bill was read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from His Excellency, the Governor, by Mr. James M. Sleeth, his private secretary:

To the Senate:

GENTLEMEN: The bill which originated in your body, entitled "an act for the relief of Jesse Beard and Elias L. Beard," is herewith returned. My signature to it has been withheld for the following reasons:

The preamble states that one Joseph Rener entered into a contract on the 7th of June, 1839, with the Board of Internal Improvements, for the construction of section five of the Wabash and Erie Canal—that Rener, with the assent of the acting commissioner of the canal, transferred the contract to the Messrs. Beards—that by the contract, the State was bound to pay for the work in par funds, and that the Beards undertook it under that expectation—that under the general suspension, their work was stopped—that on the resumption of the work, they, by the advice of William J. Ball, engineer of the canal, prosecuted it under the expectation that the State would comply with the contract—and that the State having no par funds, the Beards received all their pay in canal scrip, which had become depreciated.

The bill then requires that the Governor shall appoint a commissioner to try the claim, who shall appoint a day for the commencement of the trial in Lafayette—that he shall swear witnesses, and examine them touching the matters to be investigated—that the Governor shall appoint a person to act as counsel for the State on the investigation, the amount of whose fee shall be fixed by the decision of the commissioner—that upon the commissioner awarding a sum against the State, and in favor of the claimants, he shall certify to the Auditor of State, and the Treasurer shall pay it. An appeal is allowed to the circuit court, or to the newly organized court of common pleas, of Tippecanoe county.

Stripped of all irrelevant matter, the complaint in brief is, that the contractors found the State unable, in consequence of her prostrate credit, to pay them for their work in par funds, as required by their contract—that instead of abandoning it, and giving the State an opportunity of employing others, they went on and finished it, received the State's promissory notes for the amount, and passed them away; while the State has since either taken them up at par, or has made provision for doing so.

And now the question is, shall the State, besides redeeming her paper at its face, and according to its terms, be required to pay to the contractors the loss they sustained by bargaining it away at less than par?

Is an individual debtor required by law to do so? And if not, ought the State, struggling as she is to pay her debts, to be held to a stricter rule?

Surely not; for the receiving the scrip under protest—a protest made to a State officer, who could not change his course in consequence, but was compelled by law to pay it over, cannot alter the case. Nor can the advice of Mr. Ball to the contractors, to pro-

ceed with their work—nor can his opinion given to them, that the State would pay them in par funds, (if such opinion was ever given,) make the State liable.

Such an opinion, at that dark period of the State's misfortunes, could not have been believed; and even if believed, Mr. Ball had no authority thus to bind the State.

But decisive as I regard the above objection to be, the precedent to be established by the passage of this bill, makes a far greater one. The same reason would require the State to make up the difference to every other contractor who has received scrip for his claim.

Efforts have been made to convince me that there is a distinction between the present claim, and others where a depreciated scrip has been received, but without effect. I can see no difference in principle; and the slight difference in form, would be overcome with a far less stride hereafter, than that taken to pass the present bill. But if the amount of this depreciation is made up in the case of all the other contractors, what would be the result? To answer this question, it is necessary to see the amount of scrip issued.

The amount of $5 00 and $50 00 scrip paid out to contractors on our public works, when the system was broken down and the credit of the State gone, was $1,500,000. The scrip issued on the canal east of Lafayette, amounts to $421,761 28, and that issued on it west of that place, to $819,980—making in all $2,741,741 28. I am informed from a reliable source, that the first description of scrip was depreciated at the time of its issue, to from 53 to 65 cents on the dollar, and the second description to about 40 cents on the dollar. This makes a total of depreciation, of about thirteen hundred thousand dollals, which the State, (besides meeting the scrip at par,) would, by the principle of the present bill, be obliged to pay out of her exhausted treasury.

But even this is not all. By the same principle, or an easy consequence from it, a heavy and still increasing amount of interest, would also have to be paid.

The principle of the bill does not relieve the laborers on the public works, the farmers, and others who received this scrip from the contractors; it only relieves those who received it from the State—the contractors themselves.

The only way in which the laborer, and the rest of the community would be affected by it, (after suffering their own share of the depreciation,) would be to be taxed to make up the loss sustained by the wealthier contractors—and that, too, when it is believed that in nearly all cases, the contractors paid off this very scrip to the real sufferers *at par*. Those who really suffered, (or at least who suffered the most,) would not be benefitted by the principle sanctioned by this bill, while the others who paid off their debts with the scrip, and at par, would reap all the advantage.

But why is an investigation necessary? Not to settle the facts. The nature of the contract, the amount of scrip paid to these

claimants, the extent of its depreciation, &c., are well known. The important facts, whatever they are, are susceptible of office or record proof. Nothing remains to be decided, but the *principle* already referred to, viz: shall an allowance be made by the State to contractors for depreciated scrip? On this question, I have frankly expressed my opinion; and if the Legislature should dissent from it, it is far better, in my judgment, that they calculate the difference, and make the allowance at once from the Treasury, than to incur the heavy expense of a protracted investigation, for the purpose of ascertaining facts already well known.

Another objection to this bill, I have already remarked upon in another communication. So many bills have already passed, or are yet before the Legislature, contemplating a heavy disbursement from the Treasury for individual claimants, that there is great danger of its disabling the authorities of State, from meeting other indispensable engagements, and especially from paying the interest on the State debt. Before these bills should be suffered to pass, or before an expense of any kind of the same amount, be authorized, the taxes should be correspondingly increased. This policy would answer the double purpose of preventing prodigality, and of preserving our public faith inviolate.

But I am not advised that any such increase is contemplated, nor, indeed, that the State officers are to be authorized to borrow any funds to supply such probable deficiency.

In conclusion, I am clearly of the opinion, independently of all that has been said, that (at least in relation to claims like the present) the State should never permit a suit to be brought against herself;—for such the proceedure authorized by the present bill virtually is. Such a permission, if not unworthy of a sovereign State, is almost certain to result in a loss to the public. In such controversies, individual vigilance, and individual knowledge of men, stimulated by one of the strongest passions of the human heart, the the love of gain, is almost sure to triumph.

The State becomes the party assailed,—but whether the assailed or the assailant, she is ever the weaker party. I will merely add that private claims and private interests are represented here at every session of the legislature, ably, keenly, and untiringly. The people of the State—that is, the great mass of the unsuspecting and confiding people at a distance—have none to protect their rights but those who have been entrusted with the necessary power for that purpose. Every dollar voted from the treasury adds to their burdens. And it behooves us all to scrutinize every measure that is so fatally calculated to increase our already heavy taxes.

JAMES WHITCOMB.

Febrvdry 10th, 1848.

The question being on the passage of the bill, notwithstanding the objections of His Excellency, the Governor,

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Cassatt, Chenowith, Coats, Conduit, Conner, Day, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Hubbard, Martin, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Simpson, Verbrike, Walpole, Waters, Winchell—27.

Those who voted in the negative are,

Messrs. Berry, English, Green, Handy, Hardin, Henry, Huffstetter, Malott, Miller, Milligan, Millikin, Morrison, Randall, Read, Taber, Zenor—16.

A majority of all the Senators having voted in the affirmative, The bill passed.

Ordered, That the Secretary inform the House thereof.

Message from the House by Mr. Ward, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof, to-wit :

No. 136. An act for the relief of Simon and John Bottorff ;

No. 153. An act to authorize William Horner to convey certain real estate ;

No. 154. An act to re-locate part of the State road from Harrison to Indianapolis ;

No. 155. An act vacating a certain State road therein named ;

No. 156. An act to repeal an act providing for the election of supervisors of highways, in the counties of Decatur, Jefferson, and Spencer, approved Dec. 26, 1844 ;

No. 157. An act to locate a State road in the county of Posey ;

No. 158. An act to locate a State road in the counties of White and Carroll ;

No. 159. An act to incorporate the Madison and Cross Plains Turnpike Company ;

No. 160. An act to incorporate the German Evangelical Lutheran St. John's Church, in Dearborn county ;

No. 161. An act to revise the road laws in the counties of Lake and Porter ;

No. 162. An act to locate a State road in Madison and H amilton counties ;

No. 164. An act to repeal an act therein named ;

No. 165. An act to vacate a part of the town of Hagerstown in Wayne county ;

No. 166. An act declaring a misprint in the first section of an act

of the local laws of 1837, in relation to the surplus revenue agent of Perry county ;

No. 167. An act to change the name of Malissa Davis to that of Malissa Emaline Miller ;

No. 168. An act to authorize Nottingham Mercer to build a mill-dam across the Wabash river, in Adams county ;

No. 169. An act to incorporate the Jasper county Iroquois Navigation and Manufacturing Company ;

No. 170. An act to locate a State road in the counties of Laporte and St. Joseph ;

No. 174. An act to legalize the assignment of a certificate for certain school land in Morgan county and for other purposes ;

No. 172. An act to authorize John Webster to build a mill-dam across the Little St. Joseph river in DeKalb county ;

No. 173. An act to repeal an act vacating part of the town of Millford in Kosciusko county ;

No. 175. An act to anthorize a certain change in the Strawtown and Peru State road in Hamilton county ;

No. 176. An act in relation to roads in DeKalb county :

No. 177. An act to legalize the assignment of a certificate for school land therein named ;

No. 178. An act to authorize the sale of a certain town lot therein named ;

No. 179. An act to authorize Peter Wise and others to build a mill-dam across White river in Hamilton county ;

No. 180. An act to repeal part of an act authorizing the State Bank of Indiana to lay off, plat and record in out lots, certain lands adjoining and lying near to the town of South Bend, St. Joseph county ;

No. 182. An act to legalize the assignment of a certificate for certain school lands in Morgan county, and for other purposes ;

No, 184. An act to vacate certain enlargements of the city of Evansville ;

No. 185. An act to form a new school district from school districts No. 1 and No. 4, in congressional township No. 2 north, of range 2 east ;

No. 186. An act to legalize the proceedings of the board of commissioners of Boone county, in reference to the survey of a certain State road in said county ;

No. 187. An act to authorize the location and establishment of a State road from Bedford, in Lawrence county, by Clear Spring, in Jackson county, to Columbus, in Bartholomew county ;

No. 188. An act to authorize the auditor and school commissioner of Morgan oounty to make a deed to Wm. Berry for certain school land in said county ;

No. 189. A joint resolution inviting Major-General Zachary Taylor to visit Indiana ;

No. 190. A joint resolution to consolidate the Winnemac, Fort

Wayne, and Indianapolis Land Office, and to locate the same at Peru;

No. 191. An act for the purposes therein named;

No. 192. An act in relation to the pay of grand and petit jurors in certain counties therein named;

No. 193. An act to authorize the auditor of Hendricks county to sell certain real estate;

No. 195. An act to provide for the construction of a rail road from Martinsville, in Morgan county, to Point Commerce, in Green county;

No. 196. An act to authorize a company to construct the Aurora and Laughery Turnpike;

No. 197. An act authorizing a company to construct a turnpike road from Mooreshill to Aurora, in Dearborn county;

No. 198. An act in relation to school funds in the county of Daviess;

No. 200. An act repealing an act therein named;

No. 202. An act to confirm a certain deed to the Methodist Episcopal Church of Carlisle, Sullivan county, Indiana;

No. 204. An act relative to the sureties of justices of the peace;

No. 206. An act to authorize the sale of lots in the town of Brownstown for delinquent taxes;

No. 208. An act to extend the time of holding the commissioners' court of Boone county;

No. 210. An act to change the name of Bazaliel Thomas, Basil Thomas;

No. 214. An act to provide for the improvement of the town of Williamsport;

No. 216. An act to authorize the clerk of Sullivan county to offer and sell certain lots therein named, at the court house door in Sullivan county;

No. 220. An act to amend an act entitled "an act appointing commissioners to make partition of the real estate of Stephen S. Collett, late of Vermillion county, deceased," approved January 19, 1846;

No. 224. An act authorizing the boards doing county business to continue in session ten days at their March and June sessions;

No 225. An act authorizing county auditors to take acknowledgements of deeds in certain cases;

No. 231. An act to enable the auditor of St. Joseph county to make a deed in a certain case;

No. 232. An act declaring the meaning of an act to amend an act amendatory to act incorporating Michigan City, approved February 15, 1841;

No. 235. An act to authorize Sarah Shannon to convey certain real estate;

No. 237. An act to legalize the vacating of certain lots, streets, and alleys in South Bend;

No. 238. An act to legalize the acts of Michael Shiel, a justice of the peace of Hamilton county;

No. 240. An act in relation to road tax in the county of Howard;

No. 243. An act authorizing the sheriff of Dearborn county to use the jail at Wilmington for a certain period of time therein mentioned;

No. 246. An act reducing the fee for recording deeds in Delaware county;

No. 247. An act to revive an act entitled "an act to incorporate the town of Muncie in Delaware county;

No. 248. An act authorizing county auditors to make deeds in certain cases;

No. 252. An act to amend an act entitled "an act to amend an act entitled an act for the benefit of persons who are likely to suffer by the destruction of the records of Miami county, by fire, and to provide for a commissioner to restore said records," approved January 13th, 1845;

No. 253. An act to amend section 4, article 1, chapter 7, of the Revised Statutes of 1843;

No. 254. An act authorizing the probate court of Marion county to order deeds to be made for certain lots in Laporte, Laporte county, Indiana;

No. 255. An act to vacate part of the Indianapolis and Centreville State road;

No. 256. An act for the relief of Robert Brown and others;

No. 257. An act incorporating the celebration spring Steam Mill company, in Franklin county.

No. 259. An act to locate a State road in the counties of Franklin and Ripley.

No. 260. An act authorizing the Auditor of Franklin county, to sell certain school lands therein named.

No. 262. An act to vacate a certain street in the village of Byron in Laporte county.

No. 263. An act to amend the charter of the Indiana Medical College.

No. 267. An act to change the name of Charlotte Leggett Fox DuBois, to Charlotte Fox DuBois Sadd.

No. 169. An act to vacate the streets, alleys, and town lots of Georgetown in the county of Adams.

No. 270. A joint resolution on the subject of mileage.

No. 275. An act to repeal an act therein named.

No. 289. An act to regulate the sale of spirituous liquors in the county of Floyd.

No. 338 An act to change the time for inspectors of elections to make their returns.

No. 339. An act to repeal the 4th section of the 47th chapter of the Revised Statutes so far as relates to Elkhart county.

No. 348. An act to impose additional duties on the prosecuting attorneys of the 12th judicial circuit of this State, and for other purposes.

No. 363; An act authorizing the Auditor of Vigo county to sell certain real estate therein named.

No. 364. An act to vacate the town of Florentine, in Tippecanoe county, Indiana.

No. 365. An act to authorize John S. Woodard to convey certain real estate.

No. 369. An act in relation to deeds made by clerks of circuit courts ex-officio, discharging the duties of county auditors.

No. 370. An act for the benefit of widows.

No. 371. An act for the relief of Silas Overman, of Grant county.

In which the concurrence of the Senate is respectfully requested.

No. 136. Contained in the message, was read the first time.

The rules were suspended, the bill read a second time, and referred to the committe on claims.

Nos. 153, 191, 204, 253, 256, 365, and 369, contained in the message,

Were read the first time.

The rules were suspended, and they were read a second time and referred to the judiciary committee.

No. 154. Contained in the message,

Was read the first time.

The rules were suspended, the bill read a second time and referred to the committee on roads.

Nos. 155, 158, 159, 160, 161, 162, 164, 165, 166, 167, 168, 170, 172, 173, 174, 175, 176, 177, 178, 180, 182, 184, 185, 187, 192, 193, 195, 196, 197, 198, 200, 202, 206, 208, 210, 214, 216, 220, 225, 231, 232, 235, 237, 238, 240, 243, 246, 247, 248, 252, 254, 255, 259, 260, 262, 263, 267, 269, 339, 344, 363, contained in the foregoing message,

Were severally read the first time.

The rules were suspended, the bills read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

No. 156. Contained in the message,

Was read the first time.

The rules were suspened, and the bill read a second time.

Mr. Goodnow offered the following amendment:

Strike out from the enacting clause and insert the following:

That the "act to amend an act providing for the election of Supervisors of highways in the counties of Decatur, Jefferson, and Spencer," approved December 26, 1844, be and the same is hereby repealed so far as it relates to the township of Republican in Jefferson county. This act shall be in force from and after its passage, and the former act is hereby revived, so far as it relates to said Republican township.

Which was adopted.

The rules were further suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

Nos. 168, and 257, contained in the foregoing message,

Were severally read the first time.

The rules were suspended, the bills read a second time, and referred to the committee on corporations.

No. 179. Contained in the message,

Was read the first time.

The rules were suspended, the bill read a second time, and referred to a select committee.

Messrs. Conner, Conduit, and Walpole, were appointed said committee.

No. 186. Contained in the message,

Was read the first time, and

On motion by Mr. Conner,

Was indefinitely postponed.

No. 189. Contained in the message,

Was read the first time, and

On motion by Mr. Read,

Was laid on the table.

No. 190. Contained in the message,

Was read the first time, and

On motion by Mr. Randall,

Was laid on the table.

On motion by Mr. Osborn,

Leave of absence was granted to Mr. Barbour for the remainder of the session.

No. 224. Contained in the message,

Was read the first time.

The rules were suspended, the bill read a second time, and laid on the table.

On motion by Mr. Millikin,

The bill was taken from the table.

Mr. Millikin moved to strike out all the counties but Dearborn.

Which was agreed to.

On motion by Mr. Osborn,

The county of Laporte was added to the provisions of the bill.

On motion by Mr. Hubbard,

The county of Rush was added.

On motion by Mr. Handy,

The county of Shelby was added.

Mr. Montgomery moved to make the provisions of the bill general.

Which was not agreed to.

Mr. Montgomery moved to reconsider the vote taken on amending the bill.

Which was not agreed to;

The rules were suspended, the bill read a third time and passed.

Mr. Osborn moved to amend the title of the bill by inserting at the end as it now reads, "in certain counties therein named."

Which amendment was adopted.

Ordered, That the Secretary inform the House thereof.

Nos. 270, and 338, contained in the message,

Were severally read the first time, and laid on the table.

No. 275. Contained in the message,

Was read the first time.

The rules were suspended, and the bill referrad to the committee on agriculture.

No. 289. Containced in the message,

Was read the first time.

The rules were suspended, the bill read a second time and referred to a select committee.

Messrs. Davis, Read, and Zenor, were appointed said committee.

No. 348. Contained in the message,

Was read the first time.

The rules were suspended, the bill read a second time and referred to a select committee.

Messrs. Randall, Martin, and Murray, were appointed said committee.

No. 270. Contained in the message,

Was read the first time.

The rules were suspendend, and the bill read a second time.

Mr. English offered the following amendment:

Strike out $150 wherever it occurs in the bill, and insert $200.

Which was adopted.

The bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof:

No. 308. An act for the relief of Thomas M. Gibson, and others;

No. 460. An act to authorize certain voters in Daviess county to vote in Washington township in said county;

In which the concurrence of the Senate is respectfully requested.

No. 308. Contained in the message;

Was read the first time, the rules suspended, the bill read a second time, and referred to the committee on claims.

No. 460. Contained in the message;

Was read the first time, the rules suspended, the bill read a second time,

The question being on the passage of the bill,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Cassatt, Conduit, Day, Davis, English, Hamrick, Hardin, Howel, Houghton, Hubbard, James, Martin, Morrison, Osborn, Randall, Simpson, Walpole, Waters, Winchell, and Zenor—20.

Those who voted in the negative are,

Messrs. Beard, Coats, Cornett, Ellis, Handy, Henry, Huffstetter, Malott, Millikin, Murphy, Read, Robinson, Stewart, and Taber—14.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House, by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills of the Senate, without amendment:

No. 228. An act to incorporate the Lake Michigan, Logansport, and Ohio River Railroad Company.

No. 240. A bill to incorporate the Tippecanoe Bridge Company.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

The Speaker of the House has signed the following enrolled bill of the House:

No. 34. An act to change the mode of electing county commissioners in the county of Pike.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to the said enrolled bill, and it was delivered to the committee on enrolled bills, to be presented to His Excellency, the Governor, for his approval and signature.

Mr. Hardin submitted the following report from the committee on enrolled bills:

MR. PRESIDENT:

The committee on enrolled bills have compared enrolled bill of the Senate No. 240 with the original, and find it correctly enrolled.

The following message was received from the House, by Mr. Ward their clerk:

MR. PRESIDENT:

The Speaker of the House has signed the following bill, to-wit: "An act to incorporate the Tippecanoe Bridge Company," and the same is returned to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bills, and it was delivered to the committee on enrolled bills, to present to his Excellency the Governor, for his approval and signature.

The following message was received from the House, by Mr. Ward their clerk.

MR. PRESIDENT:

The Speaker has signed the following enrolled bills of the House;

No. 107. An act in relation to the taking of the list of children in the county of Perry for school purposes.

No. 218. An act to amend an act entitled "an act to incorporate the Lawrenceburgh and Rushville Turnpike Company," approved January 19, 1846.

No. 376. An act for the relief of Silas Overman of Grant county;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bills, and they were delivered to the committee on enrolled bills, to present to his Excellency the Governor, for his approval and signature.

Mr. Orth being in the chair,

Mr. Beard offered the following resolution:

Resolved unanimously, That the thanks of the Senate are hereby tendered to the Hon. Paris C. Dunning, for the able, impartial, and dignified manner in which he has presided over our deliberations during the present session.

Which was unanimously adopted.

On motion,

The Senate adjourned.

FRIDAY MORNING, FEBRUARY 11, 1848.

The Senate assembled.

The reading of the journal was dispensed with.

Order of business suspended.

Mr. Simpson introduced,

No. 320. An act to amend an act entitled "an act to incorporate the Junction Railroad Company;"

Which was read the first time, the rules suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. English submitted the following report from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred bill of the Senate No. 291, to authorize the administrator or John Fischli, late of Jackson county, to sell real estate therein named, have had the same under consideration, and a majority directed me to report the same back to the Senate with one amendment, by striking it out from the enacting clause, and insert the following bill, No. 291, and when adopted, recommend its passage:

An act in relation to the real estate of John R. Fischli, late of Jackson county, deceased.

WHEREAS, John R. Fischli, late of Jackson county, died intestate, leaving neither widow nor children, father nor mother, brothers nor sisters, nor any person next of kin, who, at the time of the death of the said John R. Fischli, had a known *bona fide* residence within any State or Territory of the United States; and whereas, the said John R. Fischli, in his lifetime and until the time of his death, was the owner, in *fee simple*, of divers large tracts of land situated in the counties of Clark, Jackson, and Jennings, within the State of Indiana; and whereas, it is doubtful whether said lands have escheated to the State of Indiana, or descended to some unknown heir of the said John R. Fischli; and whereas, it is of the highest moment that the title to said lands shall be ascertained, therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That it shall be lawful for any person or persons claiming the title to said lands, or any interest therein, to commence suit against the State of Indiana, in the Marion circuit court, for the purpose of recovering said lands, or any interest therein, claimed by such person or persons. Said suit shall be by bill in chancery, and said bill shall contain and set forth all such allega-

tions and charges as are material to a clear and proper understanding of the claimant's title or interest in said lands, and shall contain a description of the lands claimed, and the names and place of residence of the claimants.

SEC. 2. Said suit shall be commenced on or before the first day of October next; and on the filing of said bill in the clerk's office of said court, said cause shall be docketed and set for trial at the next succeeding term thereafter, and shall be tried at such term, unless, for good cause shown, said court shall grant a continuance of the same.

SEC. 3. It shall not be the duty of the attorney on the part of the State to make answer to, or denial of, the allegations and charges contained in said bill, or to any or either of them, but all the material allegations in said bill contained shall be taken and deemed by said court to be denied. In all other respects said cause shall be conducted in accordance with the rules of practice applicable to the trial of chancery suits between individuals.

SEC. 4. Before commencing said suit, the complainant or complainants thereto shall file in the clerk's office of said court a bond, in the penal sum of two thousand dollars, with good security, to the acceptance of said clerk, payable to the State of Indiana, and conditioned for the payment of all costs and charges which may be adjudged againt him, her, or them.

SEC. 5. On the filing of said bill said clerk shall give notice thereof to the Governor, whose duty it shall be, on the reception of such notice, to appoint some suitable attorney or attorneys to appear in said court and defend the rights of the State against the claim of the said complaint or complainants.

SEC. 6. If the person or persons claiming title to said lands, or any interest therein, shall fail to commence suit as aforesaid to recover the same, on or before the said first day of October next, he, she, or they shall be forever barred from bringing suit in any court in this State to recover said lands or any interest therein; and all disability arising from infancy, insanity, or coveture of the claimant or claimants is hereby removed; and said person or persons are hereby authorized and empowered to sue and prosecute his, her, or their claim to said lands in the same manner as he, she, or they could do if no such disability existed.

SEC. 7. This act shall be deemed and taken as a public act, in force from and after its passage; and it is hereby made the duty of the Secretary of State to transmit a certified copy of this act to John Zulaif, of the city of Louisville, in the State of Kentucky, within ten days after the adjournment of this present Legislature.

The rules suspended, the bill read a third time.

The question being on the passage of the bill,

The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Senators Barbour, Cassatt, Chenowith, Conduit, Conner, Cornett, Day, English, Green, Handy, Hardin, Howel, Houghton, Hubbard, Huffstetter, James, Martin, Milligan, Morrison, Murray, Randall, Simpson, Stewart, Taber, Verbrike, Walpole, Waters, Winchell—28.

Those who voted in the negative are,

Senators Beard, Davis, Ellis, Goodnow, Hamrick, Holloway, Miller, Millikin, Osborn, Read, Robinson—11.

The bill passed.

Ordered, That the Secretary inform the House thereof.

Senators Berry, Coats, Malott, Montgomery, and Zenor were excused from voting.

The following message was received from the House of Representatves by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have receded from their first engrossed amendment to engrossed bill of the Senate,

No. 39. An act to incorporate the Indianapolis and Belfontaine Railroad Company;

And that the House have also concurred in the engrossed amendment of the Senate to the second engrossed amendment of the House to the said engrossed bill of the Senate.

Mr. Holloway, chairman of the committee on elections, submitted the following report:

MR. PRESIDENT:

The committee on elections, to whom was referred the certificates of the newly elected members of this Senate, have examined the same, and find, upon such examination, the following named persons were duly elected members of this body on the first Monday in August last, in pursuance of the laws of this State, from the following counties, to wit:

Adams, Allen, and Wells—Franklin P. Randall.
Clark—James G. Read.
Crawford—David S. Huffstetter.
Daviess and Martin—Aaron Houghton.
Elkhart and Lagrange—Delavan Martin.

Franklin—William M. McCarty.
Gibson, Dubois, and Pike—Smith Miller.
Hancock and Madison—Thomas D. Walpole.
Jefferson—Samuel Goodnow.
Kosciusko, Huntington, and Whitley—Elias Murray.
Lawrence—Michael A. Malott.
Morgan—Alexander B. Conduit.
Miami and Wabash—Jacob D. Cassatt.
Owen and Greene—Lovell H. Rousseau.
Posey and Vanderburgh—Enock R. James.
Ripley—William F. S. Cornett.
Rush—Asahel W. Hubbard.
Washington—John I. Morrison.
Wayne—David P. Holloway.

William M. McCarty was elected to fill the vacancy of the unexpired term of George Berry, who vacated his seat by accepting an appointment by the President of the Untied States, by and with the advice and consent of the United States Senate, of the office of Sergeon in the army of the United States.

Elias Murray was elected to fill the vacancy occasioned by the decease of Abram Cuppy;

Which report was concurred in by the Senate.

Mr. Morrison, chairman of the committee on finance, submitted the following report:

Mr. President:

The committee on finance to whom was referred bill of the Senate No. 315, entitled "a bill relative to Pedlers' license," have, according to order, had the same under consideration, and directed me to report that it is inexpedient to legislate on the subject, and ask to be discharged from the further consideration thereof;

Which report was concurred in by the Senate, and the bill laid on the table.

Mr. Morrison, chairman of the committee on finance, submmitted the following report:

Mr. President:

The committee on finance, to whom was referred the petition of sundry citizens of this State, praying for an appropriation for the improvement of certain sulphur springs in the county of Martin, have had the subject, according to order, under consideration, and directed me to report;

That the committee duly appreciate the prayer of the petitioners and the importance, as well as the value, of the springs situated in their vicinity. Those springs have been the resort of invalid patients of almost every description known to repair to such places for relief, ever since the medicinal properties of the water became known, and all unite their testimony in favor of its sanatine properties, and especially has it proved highly beneficial in the treatment of diseases of the eyes and those of a kindred nature. They have already gained much celebrity by reason of the cures effected through their agency; and the committee would most cheerfully recommend to the favorable consideration of the Senate the prayer of the petitioners, if they did not believe that the objects proposed will be secured more speedily and certainly by private than by public munificence. Besides, the policy of appropriating money from the treasury for objects of a local nature, may well be questioned, especially at a time when the finances of the State, and all its available resources are required to sustain the public credit, which has been but recently reinstated. The committee ask, therefore, to be discharged from the further consideration of the subject.

Which report was concurred in by the Senate.

Mr. Randall submitted the following report from the committee on education:

Mr. President:

The committee on education, to which was referred Senate bill No. 221, entitled "a bill relative to the examination of common school teachers," have had the same under consideration, and have directed me to report the same back, and respectfully recommend its passage;

Which bill was read the first time and ordered to a second reading.

Mr. Hardin submitted the following report from the committee on education:

Mr. President:

The committee on education, to which was referred bill of the House No. 291, being "an act to authorize the voters of certain townships to sell their school lands," have had the same under consideration, and have instructed me to report the same to the Senate and recommend its passage;

Which bill was read a third time and passed.

Ordered, That the report of the committee be concurred in.

Mr. Henry, chairman of the committee on education, submitted the following report:

Mr. President:

The committee on education, to whom was referred bill of the House No. 56, entitled "an act to provide for the improvement of common schools," have directed me to make the following report:

The bill was referred to them yesterday, and the committee was required to report the same back to the Senate this morning. They regret that this bill was sent to the Senate and referred to them so near the close of the session that only one evening has been allowed them for the consideration of a subject of so much general importance to the people. So far as the short time allowed would permit, they have had said bill under consideration. For the want of sufficient time for the full consideration of the same, the committee have directed me to report the same back to the Senate without recommendation for the further action of the Senate.

On motion by Mr. Henry,

The bill was made the special order of business for to-day at 2 o'clock P. M.

The following message was received from the House of Representatives, by Mr. Ward their clerk:

Mr. President:

I am directed by the House of Representatives, to inform the Senate that the House have concurred in the engrossed amendment of the Senate to bill of the House

No. 89. An act to incorporate the Kosciusko, Elkhart and Miami Railroad company.

The following message was received from the House, by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolutions, to-wit:

Resolved, That this House will, on Saturday next, at 2 o'clock P. M., suspend all ordinary business for the purpose of receiving the colors borne by the late 3d regiment in the memorable battle of Buena Vista, to be presented to the State by Capt. Thomas L. Sullivan, in behalf of that gallant regiment, and that the Senate and officers of State be requested to attend in this hall on that occasion.

Resolved, That the Speaker of this House is hereby requested, in behalf of the State, to receive the colors above alluded to.

Mr. Davis moved to amend the resolution of the House by striking out "2 o'clock" and inserting 3 o'clock in lieu thereof;

Which amendment was adopted.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate, that the House have concurred in the amendment of the Senate, to resolution of the House in referrence to receiving the colors borne by the late third regiment in the memorable battle of Buena Vista, changing the time for said presentation from 2 o'clock P. M. on Saturday, to 3 o'clock P. M. on said day, without amendment.

Mr. Montgomery submitted the following report from the committee on education:

Mr. President:

The committee on education to whom was referred bill No. 232, entitled, "a bill to repeal a portion of a certain act therein named, in relation to loaning school funds," have had that subject under consideration, and have directed me to report the same back to the Senate, and recommend its indefinite postponement, and ask to be discharged from the further consideration of the subject;

Which report was concurred in by the Senate, and the bill indefinitely postponed.

Mr. Berry, chairman of the committee on roads, submitted the following report:

Mr. President:

The committee on roads to whom was referred bill of the House No. 154, entitled, "a bill to re-locate part of a State road from Harrison to Indianapolis," have directed me to report said bill back to the Senate, and ask that it may be laid on the table.

Which report was concurred in by the Senate, and the bill laid on the table.

Mr. Robinson, chairman of the committee on claims, submitted the following report:

Mr. President:

The committee on claims to whom was referred bill of House

No. 136, have directed me to report the same back to the Senate, without amendment, and respectfully recommend its passage;

Which bill was read tne third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Millikin, chairman of the committee on corporations submitted the following report:

Mr. President:

The committee on corporations to whom was referred bill of the House No. 257, incorporating the celebration spring steam mill company, in Franklin county, have directed me to report it back to the Senate and recommend its passage;

Mr. Handy offered the following amendment:
The stockholders of said company that shall contract any debts over and above the amount of good and solvent stock subscribed, and paid to said company, shall be individually liable for the payment of such excess.

Which amendment was adopted.
The rules were suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Millikin, choirman of the committee on corporations, submitted the following report.

Mr. President:

The committee on corporations to whom was was referred bill of the House No. 169, have directed me to report it back to the Senate with the following amendments, and on the adoption of which, to recommend its passage;

Add the following proviso to 17th section:
Provided, That either party may take an appeal from the decision of the arbitrators, to the circuit court of the county.

Which amendment was concurred in by the Senate.

2d. Add the following to the 21st section, to wit;
And the stockholders shall be individually liable for the debts of said company.

Mr. Green moved to lay the second amendment proposed by the committee on the table.
Messrs. Robinson and Montgomery demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Howel, Houghton, Hubbard, Montgomery, Murray, Read, Robinson, Simpson, Taber, Verbrike, Walpole, Waters, Winchell—23.

Those who voted in the negative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Huffstetter, James, Malott, Martin, Miller, Milligan, Millikin, Morrison, Randall, Stewart—19.

The amendment was laid on the table.
The rules were suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Green submitted the following report from the committee on corporations:

Mr. President:

The committee on corporations to whom was referred bill of the House No. 372, have had the same under consideration, and directed me to report it back for the action of the Senate.

The question being on suspending the rules and reading the bill a third time,
Mr. Holloway moved to indefinitely postpone the bill.
Mr. Barbour moved the previous question;
Which was seconded by the Senate.
The question being, "will the Senate have the main question now put?"
It was so ordered.
The question recurring on suspending the rules,
Messrs. Handy and Ellis demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Barbour, Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howel, Houghton, Hubbard, James, Martin, Miller, Milligan, Millikin, Murray, Randall, Robinsou, Simpson, Stewart, Taber, Verbrike, Walpole, Waters, Zenor—27.

Those who voted in the negative are,

Messrs, Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Huffstetter, Montgomery, Morrison, Osborn, Read, Winchell—17.

The bill was ordered to a third reading.

Mr. Cornett, chairman of the committee on benevolent institutions, submitted the following report:

MR. PRESIDENT:

The committee on the benevolent institutions of the State, to which was referred bill No. 433 of the House, entitled "a bill for the government of the Indiana Hospital for the Insane," have had the same under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage.

The rules being suspended,
The bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Miller, chairman of the committee on agriculture, submitted the following report:

MR. PRESIDENT:

The committee on agriculture to whom was referred bill of the House No. 275, in relation to partition fences, have had the same under consideration, and directed me to report the same back to the Senate with two amendments, and upon the adoption of which recommend its passage.

Add the following words to 1st and 2d sections:

So far as the county of Dearborn is concerned.

Which amendment was concurred in by the Senate, the rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Hardin moved to amend the title of bill 275, so as to make it apply only to the county of Dearborn.

Which was agreed to.

The following message was received from his Exeellency the Governor, by Mr. James M. Sleeth, his private Secretary:

To the Senate:

GENTLEMEN:—I herewith return bill No. 27, which originated in your body, entitled "An act for the benefit of the New Albany Railroad company," with the objections which have prevented me from giving it my official approval.

The construction of railroads, with the proper restrictions and guards, so as to protect the rights of the great mass of the community, is not only of general advantage, but it makes an era in the

affairs of the country. The inducements are too great, for any doubt but that they will be constructed as soon, in reference to general interests, as may be necessary.

I have already given my reasons, to some extent, why the construction of such works should be left exclusively to individual enterprise. I will now merely say, that our only security to avoid another stupendous State debt, which, from the absence of any further means to arrange or satisfy it, must crush us, is to absolutely abstain from engaging the means of the State, presently or remotely, directly or indirectly, to assist a private company or any one work whatsoever. Whenever one instance of that kind takes place, it lays the foundation for a like claim in behalf of other companies.—Combinations of different sections of the State, or of different companies, would take place, until, as the final result, the already overburdened State would be hopelessly involved. It was from a similar beginning that the ill starred mammoth system of 1835–6 took its rise, and it behooves us to learn wisdom from experience.

The first section of the present bill releases to the company all right of redemption of the road on the part of the State. That right was secured to the State at the time she passed over her public works to private companies, by the act of January 28, 1842.—By the 64th section of that act it is provided that the State, through her Legislature, may redeem any work after twenty years, by refunding to the company completing it the full amount by them expended upon it, with interest thereon at the rate of six per cent. per annum, first deducting from such interest the nett amount of revenue received by the company. No one could pretend, at the time, that such provision was not sufficiently liberal. The State has expended upon the original work above $370,000, of which the far greater part—I have not the means at hand of knowing how much, but it is supposed at least $300,000—was expended upon that part of it occupied by the present company's charter. And the only thing left to the State for all this expenditure, is the privilege of redemption at the end of twenty years; and even this is now sought to be taken from her for the benefit of the company. I am aware it is said that it will not be redeemed, that the State gives away but little by this provision, and I have already mentioned the more than doubtful policy of a State being jointly concerned with individuals, in any public work. But if the State gives away but little, the company receives but little, and would not be prevented from investing their capital without it. Other charters have been eagerly sought for and granted, for such works, where the State has expended no money. The present company will be benefitted by the State expenditure upon this work; ought they to receive a benefit not accorded to other companies? If it should be considered bad policy for the State to redeem the work hereafter, she shonld at least have it in her power to sell the right of redemption to the stockholders.

By this means something may be got by which to help pay off our State debt, of which this same $300,000 is a part. The people

are now taxed to pay that very debt, and they are now asked to surrender this last vestige of the expenditure to individuals. But above all, the objection consists in the principle involved, of granting any thing of labor, or money, or the fruits of it, to aid any company in works like the present, without reference to the value of the grant. The same objection was made by me to the bill of this session for the relief of the White Water Valley Canal Company, and I can make no distinction between different parts of the same State in refcrence to such favors. The principle is pregnant with danger and peril to the best interests of Indiana, and as such I feel bound within my limited sphere to resist it.

The bill is returned at the earliest practicable moment allowed by the pressing duties of the close of the session, in order that the General Assembly may have time to act in the premises according to their sense of duty.

JAMES WHITCOMB.

February 11, 1848.

The question being,

Shall the bill pass, notwithstanding the objections of his Excellency the Governor?

Those who voted in the affirmative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Howell, Houghton, Hubbard, Huffstetter, James, Malott, Millikin, Montgomery, Morrison, Murray, Osborn, Simpson, Verbrike, Winchell, and Zenor—27.

Those who voted in the negative are,

Messrs. Barbour, Coats, Day, English, Green, Handy, Hardin, Henry, Martin, Miller, Milligan, Read, Randall, Robinson, Stewart, Taber, and Walpole—17.

A majority of all the Senators having voted in the affirmative, the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Morrison, chairman of the committee on finance, submitted the following report:

MR. PRESIDENT:

The committee on finance, to whom was referred bill of the Senate No. 317, entitled "An act to amend an act for the relief of Elias Murray," approved January 27, 1847, have, accordidg to order, had the same under consideration, and directed me to report the bill back to the Senate, and recommend that the same be referred to the committee on claims.

Which report was concurred in by the Senate, and the bill referred to the committee on claims.

The following message was received from his Excellency the Governor, by Mr. James M. Sleeth his private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he did on this day, approve and sign the following bills, to wit:

No. 54. An act to repeal the second section of an act to locate certain alleys in the town of Bloomington;

No. 143. An act to incorporate the Milton and Waterloo Turnpike Company;

No. 135. An act for the relief of John Boone;

And that he did, on the 7th instant, approve and sign bill

No. 116. An act to locate a State road in Posey and Vanderburgh counties.

All of which originated in the Senate.

February 11*th*, 1848.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate without amendment:

No. 230. A bill incorporating the Ohio and Mississippi Telegraph Company, and for other purposes.

The following messages were received from the House of Representatives, by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bills of the Senate:

No. 124. An act relative to the time of making reports to the Legislature;

No. 111. An act to compel the trustees of the Wabash and Erie canal to allow interest on canal land scrip;

No. 69. An act to repeal an act entitled "An act for the relief of the Miami Indians," approved February 3, 1841;

No. 79. An act relating to the election of President and Vice President of the United States;

No. 144. A joint resolution relative to the national road;

No. 132. An act for the benefit of Lawrenceburgh township, in Dearborn county, Indiana;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bills, and they were delivered to the committee on enrolled bills to present to the Governor for his approval.

The following message was received from his Excellency the Governor, by Mr. James M. Sleeth, his private Secretary:

MR. PRESIDENT:

I am directed by his Excellency the Governor to inform the Senate that he did, on yesterday, approve and sign bill

No. 240. An act to incorporate the Tippecanoe Bridge Company;

Which originated in the Senate.

February 11, 1848.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor for his approval and signature bills of the Senate Nos. 136 and 228.

On motion,

The Senate adjourned.

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2 *o'clock P. M.*

The Senate assembled.

BILLS ON THEIR THIRD READING.

No. 312. A joint resolution declaratory of the meaning of an act entitled "An act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie canal to Evansville," approved January 19, 1846, and an act supplementary thereto, approved January 27, 1847, in relation to the conveyance of certain canal lands and lots therein named;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 234. An act to amend an act entitled "an act to incorporate the White Water Valley Canal Company," approved January 20, 1842.

Mr. Simpson offered the following amendment:

Strike out "one hundred" and insert "fifty." Add in the proper place the following:

Provided, That the bonds hereby authorized to be issued, shall not be sold for less than sixty-five cents to the dollar.

SEC. —. The bonds authorized to be issued under the provisions of this act, shall not exceed the sum of one hundred thousand dollars.

Which amendments were adopted.

Mr. Millikin offered the following amendment:

Amend as follows, to-wit: insert after the word authorities in section 4 the following, to-wit: "or to any company of individuals on such terms."

Which amendment was adopted.

Which bill was read the third time and passed, as amended.

Ordered, That the Secretary inform the House thereof.

No. 302. An act (of the House) authorizing the State Librarian to purchase a portrait of Gen. George Washington;

Was read a third time and the bill passed.

Ordered, That the Secretary inform the House thereof.

No. 245. An act (of the House) to legalize a certain act of the board of commissioners of Madison county;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 219. An act (of the House) to repeal an act entitled "an act defining the duties of county treasurers, passed January 13, 1845;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 310. An act (of the Senate) to grant a divorce to Allen Gibbons;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. English,

The following bill was taken from the table:

No. 163. An act (of the House) to provide for the election of township assessors and township collectors in Jennings county, and for other purposes;

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from his Excellency the Governor, by Mr. James M. Sleeth, his private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he did on this day approve and sign the following bills, to-wit:

No. 69. An act to repeal an act entitled "an act for the relief of the Miami indians," approved Febuary 3d, 1841;

No. 124. An act relative to the time of making reports to the Legislature;

No. 97. An act relative to the election of President and Vice President of the United States;

No. 144. A joint resolution relative to the national road:

No. 132. An act for the benefit of Lawrenceburgh township, in Dearborn county, Indiana;

All of which originated in the Senate.

February 11, 1848.

On motion by Mr. Walpole,

Bill of the House No. 455 was taken from the table, read a third time and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate, with amendments:

No. 152. A act to amend an act entitled "an act to incorporate the Terre Haute and Indianapolis Railroad Company," approved January 26, 1847.

In which amendments the concurrence of the Senate is respectfully requested.

Mr. Millikin offered the following amendment to the engrossed amendments of the House:

Strike out all before the second proviso, and the word "further" in the second proviso.

Mr. Henry moved to lay the amendment to the amendment of the House, on the table,

Which was not agreed to.

The question beimg on concurring in the amendments of the House as amended,

The ayes andnoes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Barbour, Beard, Berry, Cassatt, Conner, Cornett, Day, Davis, Ellis, Goodnow, Handy, Holloway, Huffstetter, Malott, Millikin, Montgomery, Morrison, Murray, Osborn, Robinson, Simpson, Verbrike, Walpole, and Zenor—24.

Those who voted in the negative are,

Messrs. Chenowith, Conduit, English, Hamrick, Henry, Howel, Houghton, Hubbard, Martin, Miller, Milligan, Randall, Read, Stewart, Taber, Waters, and Winchell—17.

The amendments were concurred in.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Robinson,

The following bill was taken from the table:

No. 209. An act fixing the salaries of the trustees of the Wabash and Erie Canal;

Mr. Osborn moved to strike out "Twelve" whenever it occurs, and insert in the place thereof, "fifteen."

A division of the question being called for,

The question recurring on striking out,

The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Hamrick, Henry, Howel, Hubbard, Martin, Miller, Millikin, Osborn, Randall, Rousseau, Simpson, Waters—12.

Those who voted in the negative are,

Messrs. Barbour, Beard, Berry, Cassatt, Chenowith, Conduit, Coats, Conner, Cornett, Day, Ellis, Goodnow, Green, Handy, Hardin, Holloway, Houghton, Huffstetter, James, Malott, Milligan, Montgomery, Morrison, Read, Robinson, Stewart, Verbrike, Walpole, Winchell, Zenor—30.

It was not so stricken out.

Mr. Osborn moved to strike out "fifteen" wherever it occurs, and insert, in its place, "two thousand;"

Which was not agreed to.

Mr. Osborn moved to amend the preamble as follows:

By striking out the words "commonly called the Butler bill," and in place thereof, insert "an act supplementary to 'an act to provide for the funded debt of the State of Indiana, and for the completion

of the Wabash and Erie Canal to Evansville,' approved January 19th, 1846;"

Which was agreed to.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the House will, the Senate concurring therein, adjourn *sine die* on Thursday, the 17th of February;

In which the concurrence of the Senate is respectfully requested.

The question being on reciprocating the resolution of the House;

Mr. Read moved to strike out Thursday, the 17th, and insert Tuesday, the 15th.

Mr. Cassatt moved to insert Saturday, the 19th.

Mr. Miller moved to insert Monday, the 14th.

Mr. Conduit moved to insert Wednesday, the 16.

Mr. Martin moved to insert Friday, the 18th.

The question being on striking out,

It was so ordered.

The question then being on inserting Saturday, the 19th,

It was not agreed to.

The question then being on inserting Wednesday, the 16th,

It was not agreed to.

The question being on inserting Tuesday, the 15th,

It was so ordered.

Ordered, That the Secretary inform the House thereof.

Leave being granted,

Mr. Conner introduced

No. 321. An act to provide for repairing the building on the Governor's Circle;

Which was read the first time.

The rules being suspended, the bill was read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Cornett submitted the following protest:

In voting for the joint resolution returning the thanks of the

legislature to our officers and soldiers who have been, or are now in Mexico, which passed the Senate on the 8th inst., the undersigned merely intended to record a vote of thanks to our distinguished officers and soldiers, and not to endorse the justice of the war with Mexico, as the language of said resolution would seem to imply.

W. T. S. CORNETT,
HENRY SIMPSON,
WM. W. CONNER,
A. T. ELLIS,
SAMUEL GOODNOW,
W. G. MONTGOMERY,
JOSEPH ROBINSON,
J. D. CASSATT,
E. MURRAY.

Which was consented to by the Senate.

Mr. Hubbard offered the following resolution:

Resolved, That the House of Represenatives, by its clerk, is hereby requested to return to the Senate the joint resolution passed by this body on the 8th inst, No. 310 or 311.

Mr. Handy moved to adjourn;

Which was not agreed to.

The question being on the adoption of the resolution;

The ayes and noes being demanded by two Senators;

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Coats, Conduit, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Howel, Houghton, Hubbard, James, Montgomery, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Winchell—23.

Those who voted in the negative are,

Messrs. Barbour, Berry, Day, English, Green, Handy, Hardin, Henry, Huffstetter, Malott, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, Waters—19.

So the resolution was adopted.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

The Speaker of the House of Representatives has signed the following enrolled bills thereof, to-wit:

No. 85. An act to legalize the sale of real estate by Peter F. Navare, jr.;
No. 90. An act incorporating the South Bend Woolen and Cotton Manufacturing Company;
No. 113. An act authorizing the location of a State road in Posey county;
No. 115. An act regulating the salary of the auditor of Putnam county;
No. 130. An act to legalize the acts of the President and Trustees of the town of Rising Sun, in Ohio county, State of Indiana;
No. 131. An act to change the name of Ebenezer Barker Twitchell;
No. 132. An act for the relief of Mary M. Goodrich;
No. 134. An act to authorize the auditor and school commissioner of Miami county to make a deed to Jacob Brown.
No. 139. An act to amend an act entitled "an act to repeal an act more effectually to enable supervisors to open and keep in repair public highways," approved Jan. 27, 1847.
No. 141. An act in relation to the tax duplicate of the county of Jefferson, for the year 1847.
No. 142. An act to incorporate the Centerville and Abington Turnpike company.
No. 149. An act for the relief of Charity Forden of Daviess county.
No. 157. An act to locate a State road in the county of Posey.
No. 242. An act to authorize John Secrest to build a mill dam across the Mississinewa river in Grant county;
Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bills, and they were delivered to the committee on enrolled bills to present to his Excellency the Governor for his approval and signature.

The following message was received from the House of Representatives by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate, that the Speaker of the House has signed the following enrolled bills of the Senate:

No. 136. An act authorizing the establishment of additional branches of the State bank of Indiana.
No. 228. An act to incorporate the lake Michigan, Logansport and Ohio river rail road company;
Which I am directed to bring to the Senate for the signature of the President thereof:

Whereupon, the President affixed his signature to said enrolled bills, and they were delivered to the committee on enrolled bills to present to his excellency the Governor for his approval and signature.

Mr. Hardin, chairman of the committee on enrolled bills submitted the following report:

Mr. President:

The committee on enrolled bills have compared enrolled bill of the Senate Nos. 136 and 228, with the engrossed, and find them correctly enrolled.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

Mr. President:

The committee on enrolled bills have this day presented to the Governor for his approval and signature bills of the Senate Nos. 124, 132, 69, 97, and 144, and bills of the House Nos. 85, 90, 113, 115, 130, 131, 132, 134, 142, 157, 242, 141, 149, and 139.

On motion,
The Senate adjourned.

SATURDAY MORNING, February 12, 1848.

The Senate assembled.

Reading the Journal was dispensed with.

Mr. Rousseau moved to re-consider the vote taken on yesterday, on the adoption of the resolution introduced by Mr. Hubbard.
The ayes and noes being called for by two Senators,

Those who voted in the affirmative are,

Messrs. Berry, Chenowith, Coats, Day, English, Ellis, Green, Handy, Henry, Houghton, Huffstetter, James, Malott, Martin, Murray, Osborn, Randall, Read, Rousseau, Stewart, Taber, Verbrike, Waters, Zenor—24.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Goodnow, Hamrick, Holloway, Howel, Hubbard, Miller, Milligan, Montgomery, Morrison, Robinson, Simpson, Walpole, Winchell—18.

The vote was re-considered.

Mr. Handy moved to lay the resolution on the table.

Senators Holloway and Stewart demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Berry, Chenowith, Coats, Day, English, Ellis, Green, Handy, Hardin, Henry, Howel, Houghton, Huffstetter, James, Malott, Martin, Osborn Randall, Read, Rousseau, Stewart, Taber, Verbrike, Waters, Zenor—25.

Those who voted in the negative are,

Messrs. Beard, Conduit, Cornett, Davis, Goodnow, Hamrick, Holloway, Miller, Milligan, Montgomery, Morrison, Murray, Robinson, Simpson, Walpole, Winchell—16.

The resolution was laid on the table.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following enrolled acts of the Senate, the objections of the Governor to the contrary notwithstanding:

No. 27. An act for the benefit of the New Albany and Salem Railroad company.

No. 196. An act for the relief of Jesse Beard and Elias. L. Beard.

No. 120. An act for the relief of Patrick McGinley.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate, without amendment:

No. 2. An act to incorporate the Richmond University.

No. 78. An act regulating the width of roads and highways in the counties of Vanderburg and Posey.

No. 82. An act to vacate a portion of a certain State road therein named.

No. 98. An act for the relief of the heirs of John Widney.

No. 140. An act to incorporate the Portland and Ohio Railroad company.

No. 147. An act to change the name of Granville in Tippecanoe county.

No. 149. An act for the relief of the members of the Wabash Fire company in Lafayette.

No. 150. An act to incorporate the Tippecanoe Guards in Tippecanoe county.

No. 151. An act to amend "an act to incorporate the city of Jeffersonville," approved January 27, 1847.

No. 153. An act to amend an act entitled "an act to provide for a free turnpike road in Steuben county."

No. 154. An act to incorporate the Huntington, Whitley and Kosciusko turnpike company.

No. 155. An act to change the time of holding the commissioners court of Jefferson county.

No. 156. An act to change the time of holding the Franklin probate court.

No. 157. An act to provide for summoning petit jurors in the county of Johnson.

No. 159. An act for the relief of Joseph E. Moore.

No. 160. A joint resolution relative to a marsh and wet tract of land in the counties of Jay and Adams.

No. 161. An act to amend the 14th section of article 1 of chapter 14, of Revised Statutes of 1843.

No. 162. An act to revive and amend an act entitled "An act to incorporate the Perrysville and Danville Railroad company," approved January 26, 1836, and an act entitled "an act to amend an act entitled 'an act to incorporate the Perrysville and Danville Railroad company,'" approved February 13th, 1840.

No. 166. An act to incorporate the Union Literary Society.

No. 168. An act to explain and amend an act for the relief of the purchasers of the saline lands in Orange county, approved Jan. 22d, 1847.

No. 169. An act authorizing the commissioners of Lagrange county to increase the salary of the probate Judge of said county.

No. 172. A joint resolution on the subject of reducing the price of our public lands.

No. 174. An act to revive an act entitled "an act to authorize the location and establishment of a state road from Salem, in Washington county, by Lawrenceport on White river, to Bedford in Lawrence county," approved January 21, 1847.

No. 179. An act to authorize the commissioners of Tippecanoe county to pay for the erection of a bridge across the canal at Green street in Lafayette.

No. 180. An act to amend an act entitled, "an act to incorporate the Lafayette insurance company," approved February 8, 1836.

No. 181. An act giving additional power to the president and trustees of the town of Lafayette, in Tippecanoe county.

No. 182. An act to revive an act entitled, "an act to incorporate the Lafayette and Danville railroad company," approved February 5th, 1836.

No. 184. An act for the relief of certain persons therein named.

No. 188. An act to legalize a survey of the city of Fort Wayne.

No. 193. An act for the benefit of the county auditor of Grant county.

No. 195. An act to provide for the taxing of estates in dower.

No. 198. An act to authorize the board of county commissioners of Jay county to borrow money.

No. 199. An act for the relief of the sureties of James H. Kintner, late school commissioner of Cass county.

No. 202. An act to prevent the sale of spirituous liquors in the town of Rushville.

No. 203. An act to incorporate the Richmond and Hagerstown turnpike company.

No. 204. An act for the relief of certain persons therein named in the county of Monroe.

No. 206. An act to incorporate the Steuben county Medical Society.

No. 207. An act to incorporate the wild cat turnpike company.

No. 209 An act in relation to certain school lands in Floyd county.

No. 211. An act to revive and amend an act entitled, "an act to incorporate the Crawfordsville and Wabash railroad company.

No. 214. An act to incorporate the Moorsville branch railroad company.

No. 220. An act in relation to the law prohibiting the Indians from selling land in this State.

No. 221. An act for the relief of widows and orphans.

No. 236. An act to aid in the settlement of the estate of John Sims, deceased.

No. 244. An act to extend the February term of the probate court for Bartholomew county.

No. 263. An act to incorporate the Demosthenian literary society of Franklin county.

No. 264. An act to incorporate the Lyceum of Wabash college.

No. 271. An act for the relief of John S. Watts.

No. 276. An act to amend an act therein named,

No. 278. An act to incorporate the trustees of the Owensville Public House.

No. 283. An act to amend an act entitled, "an act declaratory of an act to amend an act entitled an act authorizing Joseph Quinn and James Norville to erect toll bridges," approved January 19, 1846.

No. 293. An act to incorporate the town of Patriot in Switzerland county.

No. 298. An act in relation to the New Albany and Salem rail road company.

No. 299. An act to authorize the county commissioners of Adams county, to employ a Prosecuting Attorney.

No. 304. A joint resolution in relation to international literary exchanges.

No. 320. An act to amend an act entitled, "an act to incorporate the junction railroad company."

The following message was received from the House of Representatives by Mr. Ward their clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bills of the House:

No. 55. An act for the relief of Collins Adams of St. Joseph county.

No. 298. A joint resolution of sympathy with Pope Pius the ninth, for his efforts in behalf of liberrl reform in his dominions.

No. 223. An act to amend an act entitled, "an act to provide for the construction of a railroad from Martinsville in Morgan county, to Franklin in Johnson county," approved January 20, 1846.

No. 312. An act in relation to the duties of Auditor of State and commissioners of sinking fund, in certain cases herein named.

No. 356. A joint resolution relative to the Indiana State Historical cociety.

No. 453. An act to revive the act entitled, "an act to authorize certain individuals therein named to build a toll bridge across the Kankakee river at Sherwoods ferry in Porter county," approved February 1, 1840.

No. 357. A joint resolution on the subject of the laws of Indiana territory for the years 1801, 1802, 1803, and 1804.

No. 350. An act forming sections 4, 5, 6. 7, 8, 9, 16, 17, and 18, in T. 14 N. R. 6 E., into one school district.

No. 359. An act to authorize the commissioners of Vermillion county to establish one additional place of voting in Hett township in said county.

No. 340. An act declaring George W. Bowen Esq., successor in office to William Dehority, late justice of the peace in Madison county Indiana.

No. 344. A bill for the more speedy completion of a portion of the Indiana Hospital for the Insane.

No. 335. A bill to extend the provisions of a certain act therein named, to the counties of Jay and Blackford.

No. 306. An act to legalize the acts of the probate judge of Lagrange county;

No. 311. An act providing for the procuring of additional copies of the Revised Statutes of 1843 in the county of Kosciusko;

No. 309. An act defining the duties of the treasurer of the county of Shelby;

No. 307. An act concerning the duties of clerks of the circuit courts of this State;

No. 352. An act to incorporate the Lafayette, Monticello, Winemack and Michigan City railroad company.

No. 147. An act to incorporate the Madison, Lexington, and Brownstown turnpike company.

No. 119. An act incorporate the Taylor Cotton Mills.

No. 116. An act to regulate the clerk's fees in the probate court of Jackson county.

No. 6. An act authorizing the sale of certain school lands in the county of Franklin.

No. 8. An act to provide for assessing and collecting a road tax upon lands and town lots, in Madison county.

No. 11. An act providing for the sale of certain school lands in the county of Dearborn, belonging to town. 9, range 3 west, in Franklin county.

No. 12. An act to enable the supervisors of Scott county to make their returns to the board doing county business on the first Monday in March annually.

No. 22. An act for the relief the surplus revenue fund belonging to Decatur county.

No. 42. An act to provide for the selection of petit jurors in the county of Warren.

No. 244. An act to incorporate the Madison Hotel company.

No. 122. An act to incorporate the Cannelton Paper mill;

No. 112. An act to amend an act regulating the mode of doing township business in the county of Elkhart.

No. 123. An act to incerporate the Ward Cotton Mill.

No. 265. An act in relation to a certain State road in the county of Daviess.

No. 125. An act to incorporate the Cannelton Cotton Mill.

No. 102. An act to incorporate the Liberty and Brownsville turnpike company.

No. 106. An act lopping off all the extra allowance to the clerk and sheriff of Delaware county, as now allowed by the board of the same.

No. 273. An act to provide for a county library in the county of Pulaski. and for other purposes.

No. 52. An act for the selecting of jurors in the county of Delaware.

No. 62. An act to incorporate the Botanical Medical society of Decatur county.

No. 64. An act to incorporate the Laporte female seminary.

No. 103. An act in relation to the fees of the treasurer of Owen county in certain cases.

No. 278. An act to improve the roads in the county of Switzerland.

No. 280. An act to change a certain State road therein named in the county of Jackson.

No. 121. An act to incorporate the Cannelton glass manufacturing company;

No. 120. An act to incorporate the Perry Cotton mill.

No. 264. An act declaring Scott Noel the successor in office as justice of the peace, of Robert M. Gilkeson.

No. 91. An act concerning the State Library.

No. 126. An act to incorporate the Cannelton Foundry.

No. 97. An act to incorporate the town of New London, Howard county.

No. 92. An act fixing juror's fees before justices courts in the county of Delaware.

No. 110. An act for the better securing of titles in Spencer and Dubois counties.

No. 93. An act to amend an act entitled an act to authorize the people of the several townships of the several counties, to prohibit the retailing of spirituous liquors, approved January 28, 1847;

No. 124. An act to incorporate the Indiana Cotton Mills;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bills, and they were delivered to the committee on enrolled bills to present to his Excellency, the Governor, for his approval and signature.

On motion by Mr. Martin,

The following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof:

No. 479. A bill authorizing the Treasurer of State to pay to Justus C. Alvord, Homer King, and Archibald T. Frink, certain moneys;

In which the concurrence of the Senate is respectfully requested.

No. 479. Contained in the message;

Was read the first time.

The rules being suspended, the bill was read a second and third times, and passed.

Ordered, That that the Secretary inform the House thereof.

Leave being granted,

Mr. Robinson, chairman of the committee on claims, submitted the following report:

MR. PRESIDENT:

The committee on claims, to whom was referred bill of the Senate No. 317, for the relief of Elias Murray, have directed me to report said bill back to the Senate, without amendment, and recommend its passage.

The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

Leave being granted,
Mr. English introduced
No. 323;
Which was read the first time.

The rules being suspended, the bill was read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am instructed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof:

No. 291. An act to authorize the voters of certain townships to sell their school lands;

In which the concurrence of the Senate is respectfully requested.

No. 291. Contained in the message;
Was read the first time.

The rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am instructed by the House of Representatives to inform the Senate that said House has passed the following engrossed bill thereof:

No. 367. An act to raise a revenue for State purposes, for the year 1848;

In which the concurrence of the Senate is respectfully requested.

No. 367. Contained in the message;

Was read the first time.

The rules being suspended, the bill was read a second time, and referred to the committee on finance.

The following message was received from his Excellency the Governor, by his private secretary, Mr. James M. Sleeth:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he did, on yesterday, approve and sign the following bills, viz:

No. 84. An act for the relief of Michael Headakin and others;

No. 8. An act to amend the charter of the Madison and Napoleon Turnpike Company;

No. 134. An act for the benefit of the Recorder of Monroe county;

No. 100. An act to amend the records of the town of Huntington;

No. 126. An act to vacate a road in Laporte county, and for the relief of O. P. Ludlow;

No. 119. An act to improve the Huntington and Goshen State road;

No. 129. An act authorizing Isaac Heftner and others, to build a mill dam across the Salamonia river;

No. 113. An act abolishing the office of school commissioner in the county of Putnam;

No. 140. An act to incorporate the Portland and Ohio Railroad Company;

No. 142. An act authorizing the commissioners of Lagrange county, to sell the building erected for the purpose of a county seminary in said county;

No. 210. An act to legalise the acts of the Auditor of Steuben county, for the year 1847;

No. 24. An act to incorporate the Monticello Hydraulic Company;

No. 236. An act to repeal an act entitled an act to repeal an act incorporating the town of Greensburgh, in Decatur county, Indiana, approved January 28, 1843, and for other purposes;

No. 138. An act levying a road tax in the township of Union, in St. Joseph county, Indiana;

No. 205. An act for the relief of John Kearney, and to authorize him to sell certain real estate;

No. 133. An act to authorize the county of Laporte to borrow money, and increase the tax;

No. 105. An act to authorize the commissioners of the county of Cass, to employ a physician for the paupers of said county;

No. 103. An act relative to the suit of the Vincennes University, against the State of Indiana;

No. 106. An act to change the name of the county seat of Martin county;

No. 50. An act in relation to the county seminary fund of Tippecanoe county;

No. 128. An act to correct a misprint in an act entitled an act to legalize the election of trustees for the corporation of the town of Greensboro', in Henry county, approved January 14th, 1848;

All of which originated in the Senate.

February 12th, 1848.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor, for his approval and signature, bills of the House Nos. 359, 350, 357, 453, 356, 312, 223, 298, 55, 124, 106, 110, 102, 273, 91, 92, 126, 97, 309, 307, 352, 147, 119, 116, 6, 8, 11, 12, 22, 42, 52, 62, 64, 103, 278, 280, 125, 121, 120, 264, 244, 122, 112, 123, 265, 344, 311, 306, 335, 340.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have concurred in the engrossed amendments of the Senate, to the following engrossed bills of the House:

No. 27. An act authorizing the revaluation of lands in Monroe and Irvin townships, Howard county;

No. 28. An act declaring a certain word in section 43, chapter 16, of the Revised Statutes of 1843, a misprint;

No. 29. An act granting additional compensation to the probate judge of St. Joseph county;

No. 47. An act to provide for electing supervisors by districts, in the counties of Miami and Montgomery;

No. 57. An act to incorporate the Brownstown and Scipio Railroad company;

No. 81. An act to regulate agencies of foreign insurance companies;

No. 127. An act to incorporate the Princeton Female Academy;

No. 129. An act to repeal a certain act therein named.

No. 145. An act for the relief of the tax payers in certain counties therein named.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the amendments of the Senate to bill of the House

No. 146. A bill to incorporate the Indiana canal company.

On motion by Mr. Henry,

House bill No. 56, in relation to common schools, was taken up.

Mr. Howel moved to postpone the farther consideration of the bill until the 1st Monday in December next.

The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Goodnow, Hamrick, Hardin, Howel, James, Martin, Milligan, Zenor—8.

Those who voted in the negative are,

Messrs. Berry. Cassatt, Chenowith, Coats, Cornett, Conduit, Day, Davis, Ellis, English, Green, Handy, Henry, Holloway, Houghton, Hubbard, Huffstetter, Malott, Miller, Montgomery, Murray, Osborn, Randall, Read, Robinson, Rousseau, Simpson, Stewart, Taber, Verbrike, Walpole, Waters, Winchell—33.

The bill was not so postponed.

On motion by Mr. Walpole,

The Senate resolved itself into Committee of the Whole on the bill

No. 56. An act to improve the common schools.

Mr. Walpole in the chair.

The committee rose, reported progress, and asked leave to sit again;

Which was granted.

On motion,

The Senate adjourned.

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2 o'clock, P. M.

The Senate assembled.

On motion by Mr. Davis,

Senate bill No. 123 was taken from the table.

No. 123. A bill for the relief of Rudolph Fischli and others.

Mr. English offered the following amendment:

Add at the end of the 1st section,

Provided, That the provisions of this act shall not be construed to be applicable to or to extend to the lands of the said John R. Fischli, which are situated in the county of Jackson, but that the said lands in Jackson county are hereby especially exempted from the provisions of this act;

Which amendment was adopted.

The bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Leave being granted,

Mr. Davis submitted the following report from a select committee:

Mr. President:

The select committee to which was referred bill of the Senate No. 287, in relation to New Albany and Vincennes Turnpike road, have had the same under consideration, and have prepared sundry amendments thereto, and upon the adoption of said amendments the committee recommend the passage of said bill.

1st amendment:

Strike out the second section of said bill and insert in lieu thereof the following:

Sec. —. That the sum of five hundred dollars be appropriated and expended for the erection of two bridges across Lost river, where the road crosses the same, in the year 1848, and that the further sum of five hundred dollars be appropriated and expended for the erection of said bridges, in the year 1849, and that it shall be lawfal for the citizens of Orange county, or other persons, to subscribe the sum of five hundred dollars or any part thereof for the erection of said bridges, and in case such subscriptions shall be made, the said citizens or persons so subscribing the same shall be entitled to have the several sums subscribed by them refunded, out of the appropriations for the year 1849; and that the further sum of one hundred dollars for the year 1848, and one hundred dollars for the year 1849, be appropriated west of Paoli, and expended by the Superintendent of said road to repairs of the road, or for the purpose of keeping free Ferries where they are now kept on Lost river on said road. And the pay of the superintendent of said road shall be and is hereby fixed at the sum of four hundred dollars per annum, and he shall not receive any greater or larger amount per annum for his whole service as such superintendent.

2d amendment:

Add the following:

Sec. —. That so much of an act now in force in relation to said McAdamized roads as authorizes the running of a daily line of mail coaches on said road, for the sum of three hundred dollars per annum, be and the same is hereby repealed.

3d amendment:

Add the following Proviso to the 7th section:

Provided, That nothing in this act shall in any way effect the priority of payment now provided by law for a certain note and interest in the New Albany Branch Bank, signed and endorsed by Henry Turner and others.

Which amendments were concurred in by the Senate.

Mr. Ellis offered the following amendment:

Sec. —. That the citizens of the counties of Knox, Daviess and Martin, may, under the direction of the superintendent upon said road, construct any portion of said road within said counties, and it shall be the duty of said superintendent to issue certificates bearing six per centum interest thereon, to any individual for the amount such individual may have contributed towards the construction of the same, to be refunded out of the profits of said portion of said road so constructed whenever the same shall be so far finished that the erection of toll gates shall be authorized by the General Assembly of the State of Indiana; and to this end the said superintendent shall have full power to make a final location of said road where the same has not been already made.

Which amendment was adopted.

The bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives by Mr. Ward their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate, with sundry amendments:

No. 145. An act to provide for draining swamps and wet lands in Cass, Pulaski, and Fulton counties;

No. 175. An act to incorporate the New Castle and Richmond Railroad company;

No. 176. An act to incorporate the New Castle and Knightstown Railroad Company;

In which amendments of the House of Representatives the concurrence of the Senate is respectfully requested.

Nos. 145, 175, 176, contained in the message,

Were severally taken up, and the engrossed amendments of the House were severally concurred in by the Senate.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Osborn,

Bill of the House No. 416 was taken up.

An act to vacate certain streets and alleys in New Carlisle, in St. Joseph county;

Which was read the first time, the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Morrison, chairman of the committee on finance, submitted the following report:

MR. PRESIDENT:

The committee on finance, to whom was referred bill of the House No. 367, entitled "A bill to raise a revenue for State purposes," have, according to order, had the same under consideration, and directed me to report the bill back to the Senate and respectfully recommend its passage.

The rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Handy submitted the following report from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred a bill of the House No. 179, entitled "A bill to authorize Peter Wise and others to build a mill-dam across White river, in Hamilton county," have had the same under consideration, and have directed me to report the same back and recommend its passage.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House by Mr. Ward their clerk.

Mr. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House have passed the following engrossed bills and joint resolutions thereof:

No. 41. An act for the election of township assessors in the counties therein named;

No. 303. An act to repeal a part of an act entitled "An act to change the time of holding the probate court in Ripley county;"

No. 316. An act amending section 453, chapter 30, of the Revised Statutes of 1843, and for other purposes;

No. 353. An act to incorporate the Boonville and Ohio River Railroad Company;

No. 386. An act to incorporate the Mechanics and Workingmen's Institute of Mount Vernon, in Posey county;

No. 389. A joint resolution in relation to the improvement of the Iroquois river in the State of Indiana;

No. 388. An act to establish a horse boat ferry across the Wabash river at the town of Williamsport;

No. 390. An act to vacate certain lots, alleys, and streets therein named, in the town of New Lawrenceburgh, in Dearborn county;

No. 392. An act to relocate a certain State road in Clay county;

No. 394. An act concerning a State road therein named in Hancock county;

No. 395. An act to repeal "An act fixing the salary of the auditor of Miami county," approved January 27, 1847;

No. 396. An act to vacate a portion of a certain street therein named;

No. 397. An act to vacate a part of Union street, in the town of Decatur, in the county of Adams;

No. 398. An act to incorporate the Anderson Bridge Company;

No. 399. An act to locate a State road in the counties of Fulton, Marshall, Pulaski, and Starke;

No. 400. An act to locate and relocate certain State roads in the county of Miami;

No. 401. An act declaring certain lots in the town of Greencastle without the incorporation of said town;

No. 402. An act to prevent the retailing of spirituous liquors in the town of Allisonville, in Marion county, Indiana;

No. 403. An act to authorize additional election precincts in Decatur county;

No. 405. An act to repeal "An act exempting improvements on real estate from taxation in the county of Kosciusko and Miami," approved January 23, 1847, so far as the county of Miami is concerned;

No. 407. An act for the relief of persons who have made improvement on school sections in the Miami Reserve;

No. 408. An act levying a tax on the inhabitants of the town of Marion and its additions for a certain purpose;

No. 409. An act amendatory of an act entitled "An act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors," approved January 28, 1847;

No. 411. An act authorizing supervisors to work a certain road in Ohio county;

No. 412. An act to improve the breed of horses in the county of Miami;

No. 413. An act to compensate William Robison of Franklin county for certain services therein named;

No. 415. A joint resolution in relation to volunteers who have settled upon government lands in the Great Miami Reserve;

No. 416. An act to vacate certain streets and alleys in New Carlisle, in St. Joseph county;

No. 418. An act making additional allowance to the Secretary of State;

No. 420. An act to repeal at act entitled "An act to provide for a uniform mode of doing township business in Clay county;"

No. 421. An act to incorporate the Clinton Iron Manufacturing Company;

No. 425. An act amendatory to an act establishing a free turnpike road in the counties ot Allen, Whitley, Kosciusko, and Marshall;

No. 426. An act for the incorparation of the York Guards;

No. 427. An act for the relief of William A. Richardson and others;

No. 430. An act changing the name of Andersontown, in Madison county, to that of "Anderson;"

No. 431. An act for the relief of Eleanor Leas;

No. 432. An act to vacate an alley in the town of Greencastle;

No. 434. An act regulating the width of county roads in Marion county;

No. 437. An act to amend an act entitled "An act to repeal the act entitled 'An act to amend the 4th article of the 16th chapter of the Revised Statutes of 1843,' so far as the same relates to the counties of Washington and Jackson," approved January 5, 1844, so far as the same relates to the county of Washington;

In which the concurrence of the Senate is respectfully requested.

No. 41. Contained in the message;

Was read the first time, the rules suspended, the bill read a second time, and amended by striking out the counties of Green, Martin, Duboise, and Allen, from the provisions of the bill.

Which was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Nos. 303, 353, 386, 388, 390, 392, 394, 395, 396, 397, 398, 399, 400, 401, 403. 405, 407, 408, 411, 412, 414, 415, 420, 421, 425, 426, 427, 430, 431, 432, 434, 437, contained in the mersage;

Were severally read the first time, the rules suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

No. 316. Contained in the message;

Was read the first time, the rules suspended, the bill read a second time, and referred to the judiciary committee.

No. 389. Contained in the message;

Was read the first time, the rules suspended, the joint resolution read a second time.

Mr. Osburn offered the following amendment:

Insert in the 1st section after the word "Iraquois," the words "and Kankakee."

Also—strike out the word "river," and insert the word "rivers."

2d amendment:

After the word "Iraquois," in the title insert the words "and Kankakee."

Also—strike out the word "river," and insert the word "rivers."

Which amendments were adopted.

The rules further suspended, the joint resolution read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 402. Contained in the message;

Was read the first time, the rules suspended, the bill read a second time, and referred to a select committee.

Messrs. Walpole, Stewart and Handy, were appointed said committee.

No. 409. Contained in the message;

Was read the first time, the rules suspended, the bill read a second time, and referred to a select committee.

Messrs. Winchell, English and Rousseau, were appointed said committee.

No. 418. Contained in the message;

Was read the first time, the rules suspended, the bill read a second time, and referred to the committee on claims.

The following message was received from the House of Representatives by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the Senate be invited to attend instanter in the Hall of the House, for the purpose of receiving the flag of the 2d regiment of Indiana volunteers.

The Senate repaired to the House of Representatives, to receive the flag of the second Indiana regiment of volunteers, presented to the State by Lieut. Kunkle, on the part of the Spencer Grays of New Albany.

Whereupon the Hon. Paris C. Dunning, President of the Senate, received the flag presented by the Hon. John S. Davis, deputed by Lieut. Kunkle to present the same.

The Senators then repaired to their chamber.

Mr. Stewart offered the following resolution:

Resolved, That John S. Davis, Paris C. Dunning, Thomas L. Sullivan, and William A. Porter, be requested to furnish copies of the addresses delivered by them, on the occasion of presenting to the State, the regimental flags of the second and third regiments of Indiana volunteers, which flags were borne by them in the memorable battle of Buena Vista, and that the addresses when furnished, be placed on the journals of the Senate.

Which was adopted.

The following are the documents furnished in compliance with the above resolution:

Mr. Davis remarked—

MR. PRESIDENT:

I am charged by the Spencer Greys with the high duty of presenting this honored and tattered banner, through you, to the State of Indiana.

Sir, in looking upon this flag, and in the performance of the duty of presenting it, associations crowd upon my mind, tending much to embarrass and overpower me. Under its folds, and in defence of it, fell some of my best and most valued friends. Under this flag fell ROBISON, GOFF, STEPHENS, BAYLEY, and other noble spirits. I pray Sir, that I may not be overcome by my feelings in the performance of this solemn duty.

Every stich upon this banner was placed there by the fair hands of the accomplished and patriotic ladies of my own town, (New Albany) and was presented to the Spencer Greys, a company of gallant young men from that city and vicinity. In consequence of the beauty and elegance of this flag, it was adopted just before the battle of Buena Vista, as the battle banner of the second regiment of volunteers, to which the Spencer Greys belonged. And, Sir, during that battle, this flag was regarded as the beacon star of their hopes, and the inspiring watchword of their fate, as it waved amid the smoke and hurricane of battle on that bloody field.

Just before the Spencer Greys left New Albany, this flag was presented by the lovely ladies of that city, and accepted by the company through my friend Lieut. CAYCE, with the pledge that it shonld never be dishonered. Nobly—most nobly was that pledge redeemed. Redeemed Sir, by some of the best blood of our State.

May Heaven bless those who gave, and those who defended this glorious banner.

Much Sir, has been said against the second regiment of Indiana volunteers, but examination and the list of the gallent dead, has shown that they did their whole duty.

This banner then Sir, surrounded as it is with associations so patriotic and holy, I now place in your hands on behalf of the Spencer Greys. Receive it then Sir, and place it among the archives of the State, a memento of the daring valor of her sons, and the trancendent beauty, virtue, and patriotism of her daughters.

The Hon. Paris C. Dunning made the following reply:

SENATOR DAVIS:

I have been deputed in behalf of the State of Indiana to accept this beautiful flag, presented through you by the patriotic and chivalous "Spencer Greys."

I highly appreciate the distinguished honor conferred upon me, in thus acting as the organ of the State.

Permit me to assure you and the gallant volunteers whom you so honorably represent, that to the people of Indiana, and especially to her representatives present, it is a most solemn and deeply interesting occasion.

This flag as you have just stated, was made and presented to Captain Sanderson's company of Spencer Greys, by the fair hands of the ladies of New Albany, than whom, I must be permitted to remark, that no community of American ladies have shown more patriotic devotion, or rendered more effective encouragement to the cause of their country, or have have higher claims to our admiration and gratitude. I render but a just tribute of respect to female character, when I declare that the mothers of the revolution, and the ladies of all our subsequent wars, have proven themselves in the hour of peril to be always right, always united, always upon the side of their own country, its honor, and its free institutions.

This beautiful flag was received from the hands of its fair doners, with a solemn pledge that it never should be dishonored. How nobly that pledge has been redeemed, its present tattered condition will better tell than any language I can exprass.

In consequence of its elegance, this beautiful flag was adopted a few days before the battle of Buena Vista, as the battle banner of the second regiment of Indiana volunteers; in that capacity it was borne aloft upon that memorable day, by the brave and patriotic Lieut. Kunkle in the thickest and hottest of the fight. It was the "beacon star of the hopes," and inspiring watchword of the brave, but much slandered men of the 2d Indiana volunters, many of whom yielded up their lives willing sacrifices upon the altar of their common country, and whose bones now bleach upon the battle field in a foreign land.

This flag thus consecrated to the cause of our common country by the blood of many of Indiana's noblest sons, has returned

amongst us, *bleached, war-worn and tattered*, to tell its own mournful, yet eloquent story.

It speaks of the toilsome march in a distant land in the enemy's country; it speaks of privation and peril; it speads of bloody strife, of heroic achievments, of unparalleled bravery, and of the glorious triumph of our arms; it speaks of the mournful, yet glorious death of Warren Robison, Apollos Stephens, Charles Goff, and Francis Bayley, members of the company of the "Spencer Greys;" it speaks of the distant plain; it speaks of the compact and advancing columns of Santa Anna's Mexican coherts; it speaks of the comparatively small force of General Taylor, the hero of Palo Alto, Resaca de la Palma, Monterey, and Buena Vista, "who never surrenders;" it speaks of the murderous fire to which the brave men of the 2d Indiana regiment were exposed; it speaks of the manly resistance of our citizen soldiery against the attack of the Mexican legions; it speaks of the lamented Kinder, whose youthful form and elastic step are familiar to many who are now within these Halls; it speaks of his manly bearing whilst rushing to the thickest and hottest of the fight; it speaks of his prostrate form, of his cruel and inhuman death by a perfidious for—intent upon gluttoning their savage and thrice refined vengeance upon his helpless form; it speaks of the melancholy death of the heroic Captain Walker, the fires of whose patriotic heart the frosts of more than sixty winters were unable to abate; and it speaks too of his brave compatriots in arms who fell upon that memorable battle field, thereby dedicating their lives in the cause of their common country's honor.

Sir, my feelings will not permit me to dwell longer upon this part of the picture. The horrors of war are not always to be avoided—such was the case in the present war with Mexico.

Sir, in the name of the State of Indiana I thank you, Capt. Sanders, and the "Spencer Greys," for this invaluable present. It will afford me much pleasure to place it in the State Library, to be preserved as a relic and memento of the great and interesting events with which it is associated, and which it is good to keep alive and cherish in the memory of present and future generations. Future generations will look upon this "Battle Banner," and by the aid of concurrent history will regard it with the lively feelings of admiration for the deeds of glory in arms, and the same devotion to country, which prompted those who so nobly rallied around and defended it upon the sanguinary battle-field of *Buena Vista*.

The flag of the third Regiment was presented by Capt. THOMAS L. SULLIVAN, who remarked:

MR. SPEAKER:

I have been requested by the officers and soldiers of the third Regiment of Indiana Volunteers, to present to you and through you

to the people of the State of Indiana, the standard of that Regiment. It is with pleasure I assume the task, for I know there is no present I could make you of which you could be more proud, or which would excite in your breast more lively feelings than the presentation of this torn and tattered relic.

The flag was originally presented by the ladies of Madison to the company which I had the honor to command, and being adopted by Col. Lane as the standard of the Regiment, it was borne as such through the entire campaign. Time will not permit, nor indeed would it be in place for me to speak of the events, of the recollections and associations which endear that flag to all those who, weaving their fortunes with its destiny, followed it beyond the border.—Some of those events are yet to be written on the pages of your country's history, and future generations will read them as a page of living romance. Let these old relics, then, be preserved, let the mementoes be gathered up, and let them be laid among the archieves, the trophies, and the monuments of the State. Let this old banner, around which Indiana gathered at the first sound of arms, around which they fought, and under which they died, find a resting place on the walls of Indiana's capitol.

Mr. Speaker, I do not wish to speak boastingly, but the history of that standard is the history of the campaign of '46. Among the first to be unfurled on the sands of Brasos Island, it was among the last to leave those inhospitable shores. Suffice it for me to say, that on the heights of Buena Vista, that flag was always in the path of honor; suffice it to say that on that field, whose thirsty soil smoked with the best blood of the nation, that standard was perhaps the only one that never was turned from the enemy. It is enough to say, that in that hour when twenty-three thousand Mexicans, drilled and disciplined in the camp, the hardy veterans of twenty years of war—an army that had fought France with glory around the walls of San Juan de Ulloa—an army that had driven the legions of Old Spain from the soil of Mexico—an army, the glancing of whose banners, had been a terror to their foes, and whose tread in the annals of Mexican war, was but the tramp of victory; suffice it to say that when that army fought for two tedious days, against five thousand of your citizen soldiery, the third regiment from Indiana, preserved its honor intact, its integrity unsullied. And when in the changing fortunes of the fight, regiment after regiment faltered in the unequal contest, when it was no disgrace to have been defeated, that gallant regiment still made head against the storm, and others rallied behind its unfiinching ranks.

And even in the last struggle of that desperate contest, when all was doubt and apprehension, when a column of two thousand lancers, followed by a long file of infantry, with gleaming arms, and streaming banners, with the song of triumph on their lips, like the last struggle of the guard at Waterloo, came rushing down upon them, as if to wrest victory from fate itself, when

"In even scale the battle hung,"

when the hearts of veterans trembled for the result, and the cheeks of brave men grew pale, when a General of your army, who is above suspicion, and whose name is beyond reproach, might stand behind this standard, and with pale lips ask, "will they stand? Will they stand?" Again they proved themselves equal to the emergency, and when the shock came, amidst falling men, and flying steeds, and routed squadrons, when horse and rider, lance and banner, went down,

"In one red burial blent,"

amid the shout and din and smoke and hurried tramp, high, high over it all, waved Indiana's victorious banner — her bright stars flashing in the sun, her gorgeous folds rustling like the wings of eagles.

That banner, Mr. Speaker, I now present to you, and it is with no feeling of diffidence I part with it, for I know, I assure you, there is not one fact connected with its history, of which you may not be proud. True, the staff is broken near the foot, but that was done by a shot from a Mexican battery while it was advancing to the rescue of a faltering regiment; true, the staff is cut and splintered overhead, but that was done while the banner was planted as a barrier between advancing Mexico and retreating Mississppi; true, the silk is torn to ribbons, but that was done while the regiment fought, hand to hand, twenty-five hundred men; a spot is upon it, but is the stain of blood, not of dishonor. Twenty-three times was it smitten in that fight—twenty-three honorable scars are upon it.

Go take it then, and place it where such a relic deserves to be placed. Go write the name of Buena Vista on its folds, as France wrote Austerlitz, and England, Waterloo. Go place it within the Pomaerium, where Sparta keeps her jewels. Go hang it where the old man can see it, and tell his battles o'er again. Go place it where the boy can find it, and let it teach him high lessons of honor and patriotic devotion. Go greet it with such a greeting, as Rome gave her Eagles, when they were brought back from the banks of the Danube. Go welcome it with such a welcome as becomes the republic welcoming home her standards from the banks of the Bravo.

Mr. Speaker, I have done: the brave men who bore that flag, have accomplished all they promised, and now leave it in your hands. Let me however, before I sit down, mention the name of William F. Stewart, of the county of Jefferson, as the man who bore it in the field. And while I may bear testimony in his favor as a citizen, let that standard bear witness to his bravery as a man.

On accepting the flag on the part of the State, Hon. W. A. Porter replied as follows:

Capt. Sullivan—Sir: It is with feeling of just pride, and with a heart overflowing with grateful emotion, that I, as the organ of the representatives of the people of Indiana, receive from you this valuable relic. And those feelings of pride are increased from the

fact that I know that I receive it in the name of a people who are noble, brave, and grateful. The sight. sir, of that flag tattered and and torn by the balls of the enemy, in one of the hardest fought battles, and most splendid victories recorded in the history of modern warfare, an elegant and correct description of which you have just given us, cannot fail to excite in every American bosom, and still more, in every Indiana bosom, the most lively emotions. It is true, it is also associated with melancholy recollections, the recollection ef the noble dead that fell in its defence. But when, after doing due honors to the memory of the dead, we turn our eyes to the splendid victory obtained by the valorous and almost superhuman achievements of the survivors, our hearts are elated with the proud thought that this victory was won by the valor of our countrymen.

The battle field of Buena Vista will long be remembered by the civilized world; it is an event which future historians will delight to describe; which future generations will peruse with admiration, and with which the history of Indiana is identified. Its glory is part and parcel of the heritage of Indianians, and they will claim it as invaluable legacy.

This flag, Sir, like the fair hands that made it, and the pure hearts that gave it, is unsullied. It is a fit recipient of the purest archives of our State. In the varied viscissitudes of that memorable battle, when almost every flag of our country was compelled at some time or other to make a temporary retreat either from the force of overwhelming numbers, or from other causes over which our brave men had no control, the course of this flag and of the gallant officers and brave men over whom it floated, was always onward. It was always conspicuous, its stars and stripes continued through all the vicissitudes of that memorable conflict, to float proudly in the breeze. To it, the gallant Indianians of the third regiment would always look and say, the flag of our regiment still floats in defiance of the enemy. Its post was the post of honor and of danger, and Sir, as you have already informed us, in the last fearful hour of that bloody struggle, when the contest was doubtful, when bold hearts and brave men trembled for the result, the third Indiana regiment, "the steadfast third," followed this banner, and boldly rushed against ten times their number, of well disciplined troops, flushed and stimulated with the hopes of certain victory, and routed them with immense slaughter, and secured the fortunes of the day.

The events of that day, if they stood alone, are a sure guaranty to to our beloved country, that it will always be safe under the protection of our citizen soldiery; and we have other abundant evidences that when the trumpet sounds to battle, thousands of bold hearts are ready at the first sound, to rush to the standard of their country. And Sir, the universal burst of feeling throughout the country, assures us the warmest feelings of our country's gratitude accompany them.

Sir, in the name of the State of Indiana, I receive this flag, and

doubt not but that it will be placed among her most most cherished archives, that it will be deposited in some conspicuous place in the capitol of our State, that when our citizens visit the capital, they can look on it, and with feelings of pride, say under this banner our sons, our brothers or our father fought in the battle of Buena Vista.

Mr. Hull offered the following resolutions:

A Joint Resolution, accepting the Colors of the Third Indiana Regiment of Volunteers:

Be it resolved, unanimously, by the General Assembly of the State of Indiana, That with feelings of just pride we receive the colors borne by the Third Regiment of Volunteers from this State in the battle of *Buena Vista*. That we appreciate in the highest degree the distinguished services rendered by that gallant Regiment, upon the occasion alluded to; and while we remember that it won for itself, in that bloody contest, the proud appellation of the "*Steadfast Third*," we have no hesitation in declaring that it contributed as much to the success and triumph of our arms, as any other regiment there engaged. That this flag will be cherished by the people of Indiana, for "upon its once fair and beautiful face, is now depicted the horrors of the strife it witnessed in the service of its country. Its soiled and tattered appearance speaks for itself, and is its best history;" and that this once glittering Banner, "the gift of Beauty to Honor, torn by the tempest, bleached by the sun and sleet, tattered by the bullet, shot, and shell, but dishonored, never!" shall be preserved as a priceless memento of the heroic and glorious achievements of our patriotic and noble sons.

Be it further resolved, unanimously, That in behalf of the people of the State of Indiana, we hereby return our heart-felt thanks to the Officers and Privates of the Third Regiment of Indiana Volunteers, for the inestimable gift which they have this day presented to their State; and that these mutilated but honored Colors be now deposited in the State Library, there to be carefully preserved, that our children's children may look upon them and say, "under this ancient Banner, fought our heroic fathers."

Be it further resolved, That the State Librarian be, and he is hereby empowered and requested to procure a plate of silver to be attached to the Standard pole of the Third Regiment, with these words engraven upon it: "*Third Regiment Indiana Volunteers; Buena Vista; 22d* and *23d February*, 1847.

Be it further resolved, That the thanks of the people of this State are hereby tendered to Ensign William F. Stewart, who bravely unfurled this Banner above the heads of his gallant brothers in arms at *Buena Vista*, and bore it triumphantly throughout that sanguinary battle field.

Be it further resolved, That the Officers and Men of the First, Second, and Third Regiments of this State, upon every occasion, and throughout the time they were in their country's service, have been unexcelled in devotional patriotism and heroic action; and while we especially return to them the thanks of the people of this State, we claim for them the gratitude and admiration of their countrymen.

Be it further resolved, That while we return our gratitude to the living, we will not forget the honored dead; and that this General Assembly, in common with the people of Indiana, deeply mourn the loss of her brave and patriotic sons who have fallen beneath the flag of their country upon the field of battle, or by the stroke of disease in a foreign and pestilential climate; and that we hereby express our deepest sympathy with their relations and friends.

Be it further resolved, That these joint resolutions be spread upon the journals of both Houses of this General Assembly.

Which resolutions were unanimously adopted.

When the Senate retired to their chamber.

Leave being granted,

Mr. Robinson chairman of the committee on claims, submitted the following report:

Mr. President:

The committee on claims, to whom was referred bill of the House No. 308, for the relief of Thomas M. Gibson, have directed me to report said bill back to the Senate without amendment, for the action of the Senate.

Mr. Robinson offered the following amendment: Strike out the 2d section.

Mr. Ellis moved to lay the amendment on the table.

The ayes and noes being demanded by two Senators;

Those who voted in the affirmative are,

Messrs. Berry, Chenowith, Conduit, Cornett, Davis, English, Ellis, Goodnow, Green, Hamrick, Holloway, Howel, Houghton, Hubbard, Huffstetter, James, Malott, Martin, Miller, Osborn, Randall, Read, Rousseau, Simpson, Stewart, Verbrike—26.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Day, Handy, Hardin, Henry, Montgomery, Morrison, Murray, Robinson, Taber, Walpole, Waters, Winchell, Zenor—16.

The amendment was laid on the table.

The rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Leave being granted,
Mr. Handy introduced
No. 324. An act granting certain powers to the probate court of Dearborn county.
Mr. Simpson moved to lay the bill on the table.
Not so ordered.
The bill read the first time.
The rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

No. 372. An act (of the House) to authorize the construction of lines of Morse's Electro-Magnetic Telegraph in the State of Indiana, and for other purposes;
Which was read the first time, the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Message from the House by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill thereof:
No 417. An act for the benefit of the Jeffersonville and New Albany Railroad Company;
In which the concurrence of the Senate is respectfully requested.

No. 417, contained in the message,
Was read the first time, the rules suspended, the bill read a second time.
Mr. Davis offered the following amendment: Strike out the 1st and 2d sections of the bill.
Which was adopted.
The bill read a third time and passed as amended.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following engrossed joint resolution of the Senate:
No. 304. A joint resolution relative to international literary exchanges;

Which I am directed to bring to the Senate for the signature of the President thereof.

Thereupon the President affixed his signature to said bill, and it was delivered to the committee on enrolled bills to present to his Excellency the Governor for his approval and signature.
The following message was received from the House of Representatives by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bill of the House:

No. 86. An act to reduce the law incorporating the city of Madison and the several acts amendatory thereto into one act, and to amend the same;
Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bill, and it was delivered to the committee on enrolled bills to present to the Governor for his approval and signature.
The following message was received from the House of Representatives by Mr. Ward, their clerk:

MR. PRESIDENT:

The Speaker of the House of Representatives has signed the following enrolled bill, which originated in the House, and I am directed to bring the same to the Senate for the signature of the President:
No. 372. An act to act to authorize the construction of lines of Morse's Electro-Magnetic Telegraph in the State of Indiana, and for other purposes.

Thereupon the President of the Senate affixed his signature to said enrolled bill, and it was delivered to the committee on enrolled bills to present to his Excellency the Governor for his approval and signature.
The following message was received from the House by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the eugrossed amendment of the Senate to engrossed bill of the House

No. 169. An act to incorporate the Jasper county Iroquois Navigation and Manufacuring Company.

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof:

No. 230. An act to authorize the county auditor and treasurer of Sullivan county to make set-off's in certain cases;
No. 422. An act in relation to that portion of the northern division of the central canal, which lies between Broad Ripple, in Marion county, and Waverly, in Morgan county;
No. 482. An act to authorize the commissioners of Vigo county to procure a seal for the probate court;
No. 483. An act to revive an act for the location of a State road in the counties of Dubois and Martin;
No. 484. An act to incorporate the "Fairfield Hydraulic Manufacturing Company;"
No. 485. An act to repeal a part of sec. 90, art. 3, chap. 16, of the Revised Statutes of 1843, so far as relates to Shelby county;
No. 486. An act to locate a State road in Clay and Parke counties;

In which the concurrence of the Senate is respectfully requested.

Nos. 230, 482, 483, 485, 486, contained in the message,
Were severally read the first time, and,
The rules being suspended, the bill was read a second and third time, and passed.

Ordered, That the Secretary inform the House thereof.

No. 422, contained in the message,
Was read the first time, and,
The rules being suspended, the bill was read a second time.
Mr. Conduit offered the following amendment:

Provided, That the expenses and cost of the commission to make the settlements provided for in this act shall be deducted from and defrayed out of, the salary to be paid to the superintendent of the said division of the Central Canal.

Which,
On motion,
Was laid on the table.
The rules being further suspended, the bill was read a third time and passed.
No. 484, contained in the foregoing message,
Was read the first time, and,
The rules being suspended, the bill was read a second time, and,

On motion by Mr. Simpson,
The bill was laid on the table.
No. 215, (House),
Was read the first time.
The rules being suspended, the bill was read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House of Representatives have passed the following engrossed bills and joint resolutions thereof:

No. 207. An act repealing so much of sec. 233, of chap. 30, of the Revised Statutes of 1843, as requires the probate court to fix the time of sales of real estate by executors and administrators;
No. 212. An act authorizing Albert A. Siddall to sell certain stone in Madison county;
No. 236. An act amendatory of the laws now in force relative to decedent's estates;
No. 404. An act making allowances to the Adjutant and Quarter Master General for the year 1847;
No. 440. An act amendatory of an act to incorporate the town of Greenfield, in Hancock county, approved January 28th, 1847;
No. 441. A joint resolution in relation to a mail route from Bellville, in Hendricks county, to Lebanon, in Boone county, in the State of Indiana;
No. 444. An act collecting into one the different acts fixing the times of holding courts in the 11th circuit, and changing the time of holding the Tipton circuit court:
No. 445. An act authorizing the State Librarian to procure a suitable book in which to record the names of the volunteers from the State of Indiana;
No. 446. An act to amend the 35th sec. of article 2, of chap. 25, of the Revised Statutes of 1843;
No. 448. A joint resolution for a mail route from Brownstown, in Jackson county, to Nashville, in Brown county;

In which the concurrence of the Senate is respectfully requested.
Nos. 207, 212, 440, 441, 445, 446, 448, contained in the foregoing message,

Were severally read the first time, and,
The rules being suspended, the bills were read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

No. 236, contained in the foregoing message,
Was,
On motion by Mr. Rousseau,
Rejected.
No. 404, contained in the message,
Was read the first time, and,
The rules being suspended, the bill was read a second time, and referred to the committee on claims, with the following instructions:
By Mr. Montgomery,
To report to the Senate the precise amount the bill will alow, as the pay for the present year, to said Adjutant General.
By Mr. Henry,
And that said committee be required to report the same back to the Senate on Monday morning next.
No. 444, contained in the preceding message, was read the first time and the rules suspended, the bill read a second time;
When Mr. Walpole moved to amend as follows:
The following message was received from the House of Representatives by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have passed engrossed bills thereof, as follows:
No. 495. A bill making the education of the blind in Indiana free.
No. 494. A bill making the education of deaf and dumb persons in Indiana free;
In which the concurrence of the Senate is respectfully requested.

Which bills were severally read the first time, and the rules suspended, the bills read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill of the Senate, with one amendment:
No. 242. An act to prevent the sale of spirituous liquors in Wayne and Franklin townships, in Wayne county, by less quantity than ten gallons;
In which the concurrence of the Senate is respectfully requested.

Which amendment was concurred in by the Senate.
The following message was received from the House of Representatives, by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill thereof:
No. 44. An act relative to elections in Jackson county;
In which the concurrence of the Senate is respectfully requested.

Which bill was read the first time, the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Leave being granted,
Mr. Davis introduced bill
No. 325. An act to change the name of Joseph Abrams to Joseph Abrahams;
Was read the first time, the rules suspended, the bill read a second time and referred to the judiciary committee.
The following message was received from the House, by Mr. Ward, their clerk:

Mr. President:

I am directed by the House to inform the Senate that the House have passed the following engrossed bills thereof:
No. 227. An act extending the time for supervisors to work their roads in Spencer county.
No. 385. An act to better enable the citizens of congressional township No. 20. N, of range No. 5 East, in the county of Hamilton, to sell school lands.
No. 391. An act authorizing Avery Allen, of Posey county, to make a deed in a certain case to certain land in said county.
No. 419. An act to extend the February term of the probate court in the county of Washington.
No. 436. An act changing the name of the town of Alton in the county of Crawford;
In which the concurrence of the Senate is respectfully requested.

Nos. 227, 391, and 436, contained in the above message, were severally read the first time and the rules suspended, the bills read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

The committee of the whole to whom was referred a bill of the House No. 56, were discharged from the further consideration of the same.
On motion by Mr. Beard,
No. 56. A bill to provide for the improvement of common schools,

Was taken up.

On motion by Mr. Beard,

The amendments made in committee of the whole were laid on the table.

Mr. Osborn offered the following amendment:

Strike out from the enacting clause, and insert the following:

"That the voters of this State shall, at the annual election on the first Monday in August, 1848, give their votes for or against the enactment of a law by the next legislature, providing for raising by taxation an amount which, added to our present school funds will be sufficient to support *free common schools*, in all the school districts of the State, not less than three nor more than six months in each year.

And the inspectors of elections at the several places of voting shall propose to each voter presenting a ballot the question "Are you in favor of Free Schools?" and those who are in favor of the enactment of a law for taxation as above stated, shall answer in the affirmative, and those against such enactment shall answer in the negative; which answers shall be duly recorded by the clerk of such election.

And the results of such voting shall be certified and returned as is provided in other cases of voting at general elections, to the Secretary of State and by him be certified to the Governor, who shall report the same to the next legislature, on the first day of its session.

And it shall be the duty of the usual persons performing the duties of county Auditor to add to the poll books, furnished to the proper inspectors suitable columns for taking the vote aforesaid.

Mr. Morrison offered the following preamble, to the amendment:

Whereas, Laws respecting common schools, are among the most important in a people's code, and,

Whereas, A system for the regulation and establishment of common schools, must of necessity be extensive and complex in order to embrace and arrange all necessary points and provisions; and,

Whereas, The bill for the improvement of common schools was sent from the House to the Senate at a period so late as to preclude thorough examination and deliberate action; and,

Whereas, The said bill, even if it should become a law, will not according to the provisions thereof, take effect until after the time appointed for the assembling of the legislature; therefore,

Which was adopted.

The question being on the adoption of the amendment.

The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Beard, Berry, Chenowith, Coats, Conduitt, English, Ellis, Goodnow, Green, Hamrick, Hardin, Holloway, Howel, Hubbard, Huffstetter, James, Malott, Miller, Milligan, Morrison, Osborn, Read, Rousseau, Verbrike, Winchell, Zenor—26.

Those who voted in the negative are,

Messrs. Cassatt, Cornett, Day, Davis, Handy, Henry, Houghton, Montgomery, Murray, Randall, Robinson, Simpson, Stewart, Taber, Walpole, Waters—16.

The amendment was adopted.

The question recurring on the passage of the bill as amended;

Messrs. Simpson and Handy demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Chenowith, Coats, Conduit, English, Ellis, Goodnow, Green, Handy, Hardin, Henry, Holloway, Howel, Houghton, Hubbard, Huffstetter, James, Malott, Miller, Montgomery, Morrison, Osborn, Randall, Read, Stewart, Verbrike, Waters, Winchell—28.

Those who voted in the negative are,

Messrs. Cassatt, Cornett, Day, Davis, Hamrick, Milligan, Murray, Robinson, Simpson, Walpole, Zenor—12.

The bill was passed.

No. 221. A bill (of the Senate) relative to the examination of common school teachers;

Was read a second time, and the rules being suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Winchell made the following report, from a select committee:

MR. PRESIDENT:

The select committee to whom was referred bill of the House No. 409, have directed me to report the same back, and recommend its indefinite postponement;

Which was concurred in by the Senate.

The bill was indefinitely postponed.

The following message was received from the House of Representatives by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed to inform the Senate that the Speaker has signed the following engrossed bills of the House:

No. 479. An act authorizing the Treasurer of State to pay to Justus C. Alvord, Homer King, and Archibald T. Frink, certain moneys.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said bills, and they were delivered to the committee on enrolled bills, to present to the Governor for his approval and signature.

The following message was received for the House of Representatives by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate without amendment;

No. 41. An act to extend the time for appraising certain lands belonging to the Wabash and Erie Canal.

The following message was received from the House of Representatives by Mr. Ward their clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, without amendment:

No. 213. An act to authorize Roderick M. Siler to relinquish certain school lands.

Mr. Hardin submitted the following report from the committee on enrolled bills:

MR. PRESIDENT:

The committee on enrolled bills have compared enrolled bill No. 238, of the Senate, with the engrossed bill thereof, and find the same correctly enrolled.

Mr. Handy, chairman of the committee on enrolled bills submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have compared bills of the Senate Nos. 298, 320, 304, 184 and 238, with the engrossed, and find them correctly enrolled.

The following message was received from his Excellency the Governor, by Mr. Sleeth, his private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he did approve and sign the following bills, to wit:

No. 118. An act to incorporate the Ripley county Medical Society.

No. 51. An act to incorporate the Madison Female College.

No. 208. An act authorizing the erection of a certain bridge in Madison county.

No. 72. An act to incorporate the Fairfield Hydraulic company.

All of which originated in the Senate.

February 12th, 1848.

On motion,

The Senate adjourned.

MONDAY MORNING, FEBRUARY 14, 1848.

The Senate assembled.

The reading of the journal was dispensed with.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the engrossed amendments of the Senate to the engrossed amendments of the House, to engrossed bill of the Senate.

No. 152. An act to amend an act entitled "An act to incorporate the Terre Haute and Richmond Railroad company," approved January 26, 1847.

And that the House have also concurred in the engrossed amendments of the Senate to the following engrossed bills of the House, without amendment:

No. 40. An act to encourage the growth of Cranberries in the county of Allen, and for the protection of Cranberry marshes.

No. 257. An act incorporating the Celebration Spring Steam Mill company in Franklin county.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate without amendment:

No. 157. An act to amend the second article of the 30th chapter of the Revised Statutes of 1843, concerning the probate of wills and testaments.

No. 177. An act to amend the act to provide for the continuation of the Madison and Indianapolis Railroad to Lafayette," approved Jan. 19th, 1846.

No. 192. An act to regulate the signing of bills of exceptions in the circuit court.

No. 215. An act in relation to the dam and water power on the central canal in Morgan county.

No. 217. An act to incorporate the Wayne county Turnpike company.

No. 218. An act to incorporate the Fairview Academy, in Rush county.

No. 219. An act to authorize the improvement of Farmer's creek in Dearborn county.

No. 224. An act to incorporate the Fort Wayne and Goshen Turnpike company.

No. 230. An act to vacate a part of a street in the town of Bloomington.

No. 237. An act to authorize the commissioners of Jay county to assess an additional tax.

No. 239. An act concerning the distribution of the Laws and Journals in Bartholomew county.

No. 241. An act authorizing the sale of section 16, in township No. 28, north, of range 8 east, in the county of Huntington.

No. 245. An act relative to the collection of taxes in Bartholomew county.

No. 246. An act to locate a State road in the counties of Adams, Allen and Jay.

No. 251. An act to incorporate the Fort Wayne and Southern Railroad company.

No. 252. An act to incorporate the Harrison township and Abington Turnpike company.

No. 254. An act giving the commissioner of the reserved township in Monroe county a compensation for certain services therein named.

No. 255. An act to incorporate the Connelton Steam Mill and Manufacturing company.

No. 256. An act to incorporate the Mount Vernon and New Harmony Railroad company.

No. 257. An act to regulate the practice of law in the Lagrange circuit court.

No. 258. An act to amend an act incorporating the Brookville and Connersville Turnpike company.

No. 260. An act to authorize Thomas Hamilton to build a mill dam across the St. Joseph river.

No. 261. An act to amend the charter of the Milford and Columbus Railroad company.

No. 262. An act for the relief of A. Bird.

No. 265. An act to authorize the commissioners of Daviess county to employ a physician and for other purposes.

No. 266. An act for the relief of Margaret Wade.

No. 267. An act to authorize the sale of school section belonging to township 21 north, of range 5 west, in Tippecanoe county.

No. 268. An act authorizing the sale of the old Indiana State Prison.

No. 273. An act supplementary to an act entitled "An act to amend an act entitled an act for the relief of purchasers of canal lands," approved Jan. 19, 1846; approved December 28, 1846.

No. 274. An act to change a certain State road in the county of St. Joseph;

No. 275. An act extending the provisions of sec. 16, Revised Statutes of 1843, to the county of Lagrange;

No. 280. An act to authorize the construction of plank or coal roads;

No. 281. An act to incorporte the Wabash and Greenville Rail Road Cumpany;

No. 282. A joint resolution in relation to the contract entered into between the State of Indiana and her bondholders;

No. 284. An act to change the name of the town of Springfield, in Wabash county;

No. 285. An act for the benefit of the reserved township of seminary lands in Monroe county;

No. 288. An act to correct a mistake in the commission of justices of the peace in Hanover township, in Shelby county;

No. 289. An act to authorize the county commissioners of Allen county to sell certain real estate therein specified;
No. 292. An act to locate a State road therein named;
No. 301. An act to restrict the county commissioners of Steuben county in levying a tax to fifty cents on the one hundred dollars valuation;
No. 305. An act for the relief of the sureties of William Johnson;
No. 207. An act to amend an act entitled "an act to authorize the formation of voluntary associations, approved, January 27,1847;
No. 308. An act amendatory of an act entitled, "an act to incorporate the Rushville and Lawrenceburgh Rail Road Company;"
No. 319. An act to amend an act intitled "an act to authorize the the formation of voluntary associations," apppoved January 27, 1847;

Mr. Osborn introduced
No. 326. A bill to allow parties to take depositions in actions at law after injunction is granted;
Was read the first time.
The rules being suspended, the bill was read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Leave of absence was granted to Mr. Matrin for the remainder of the session, from and after to-morrow, (Tuesday).
By Mr. Winchell,
A petition from Wm. W. Moore, late school commlssioner of Delaware county, also, a bill,
No. 327. A bill for the relief nf the ex-school commissioner of Delaware county;
Which bill was read the first time, and,
The rules being suspended, the bill was read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Davis made the following report from a select committee:

Mr. President:

The select committee to which was referred bill of the House No. 289, "regulating the sale of spirituous liquors in the county of Floyd," have had had the same under consideration, and have instructed me to report said bill back to the Senate, together with two amendments thereto, and, upon the adoption of said amendments, the committee recommend the passage of said bill:

1st. Add the following additional provision to the first section of said bill:

And provided further, That no license shall be granted by the commissioners of said county for the purposes aforesaid, within any township in said county, where a majority of the legal voters in such township shall remonstrate against the granting of license to sell or vend spirituous liquors, by retail, within the same.

2d Amendment. Strike out all of the third section of said bill.

Which amendments were concurred in by the Senate.
The rules being suspended, the bill was read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House, by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof:

No. 373. An act to amend an act authorizing a company to construct a turnpike road from Cambridge City to Muncietown;

In which the concurrence of the Senate is respectfully requested.

Was read the first time.
The rules being suspended, the bill was read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from His Excellency, the Governor, by Mr. James M. Sleeth, his private secretary:

Mr. President:

I am directed by the Governor to inform the Senate that he did, on the 12th inst., approve and sign the following bills and joint resolutions, to-wit:

No. 304. A joint resolution relative to international literary exchanges;
No. 184. An act for the relief of certain persons therein named;
No. 38. An act for the relief of John Plasters, formerly school commissioner of Miami county;
No. 107. An act to authorize the sale of school section in township 25 north, range 2 west, in Carroll connty;
No. 238. An act to incorporate the Ohio and Mississippi Telegraph Company;

All of which originated in the Senate.
February 14*th*, 1848.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills and joint resolutions thereof:

No. 26. An act to authorize the voters of Jefferson township, Kosciusko county, to vote at any adjoining poll in their county;
No. 489. An act relative to elections in Morgan county;
No. 490. An act to change a State road it Delaware county;
No. 491. A joint resolution in relation to certain canal funds;
No. 492. A joint resolution of thanks to Elhanan Moberly;
No. 495. An act making the education of the blind of Indiana free;
No. 496. An act making the education of deaf and dumb persons of Indiana free;
No. 497. An act to authorize the building of a levee in Vigo county;
No. 498. An act to change the location of a State road therein named;
No. 499. An act to revive an act entitled "An act to incorporate the town of Bellville, Hendricks county," approved February 8, 1836, and to amend the same;
No. 500. An act to give additional Revised Statutes of 1843 to the county of Randolph;
No. 502. An act to locate a State road in the counties of Delaware, Madison, and Grant;
No. 503. An act for the relief of Joseph I. Stretcher and Robert N. Allen, commissioners appointed by the Governor, under a joint resolution of the last session of the General Assembly, providing for the removal of the remains of the late Hon. Tilghman A. Howard from the State of Texas to the State of Indiana;
No. 504. An act to define the width of roads in Clinton county;
No. 506. A joint resolution in relation to the expenses incurred by this State in raising volunteers for the Mexican war;
In which the concurrence of the Senate is respectfully requested.

No. 26, contained in the message,
Was read the first time, the rules being suspended, the bill read a second time.
On motion by Mr. Murray,
Referred to a select committee.
Senators Murray, Rousseau, and Davis were appointed said committee.
No. 489, contained in the message,

Was read the first time, the rules suspended, the bill read a second time.
The following counties were added to the provisions of the bill:
The counties of Greene, Decatur, Martin, Johnson, Scott, and Jackson.
Mr. Ellis moved to indefinitely postpone the bill.
The ayes and noes being demanded by two Senators,

Those who voted in the affirmative are,

Messrs. Beard, Berry, Chenowith, Coats, Cornett, Davis, Ellis, Goodnow, Handy, Henry, Holloway, Howel, Hubbard, Huffstetter, Martin, Miller, Milligan, Montgomery, Randall, Read, Simpson, Stewart, Taber, Verbrike, Waters—25.

Those who voted in the negative are,

Messrs. Cassatt, Conduit, Day, English, Green, Hamrick, Hardin, Houghton, James, Malott, Morrison, Murray, Robinson, Rousseau, Walpole, Winchell, Zenor—17.

The bill was indefinitely postponed.
Nos. 490, 492, 497, 498, 479, 500, 502, 503, 504, 506, contained in the message,
Were severally read the first time, the rules suspended, the bills read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Nos. 495 and 496, contained in the message,
Were severally read the first time, the rules suspended, the bills read a second time, and laid on the table.
No. 99, contained in the message,
Was read the first time, the rules suspended, the bill read a second time.
Mr. Henry offered the following amendment:
Strike out the words "of the North Port feeder dam."
Which was not adopted.
The rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Walpole,
The judiciary committee were discharged from the further consideration of Senate bill
No. 186. An act confirming the marriage between Thomas Berry and Elizabeth Berry.
The bill was taken up, read the second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Walpole presented a petition,

Which the Secretary was directed to report to the House of Representatives with bill No. 186.

On motion,

Leave of absence was granted to Mr. Hubbard for the remainder of the session.

The following message was received from the House of Representatves by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the amendment of the Senate to the resolution of the House providing for the adjournment, *sine die* of the present General Assembly, with the following amendment: Strike out "Tuesday, 15th instant," and insert "Friday, 18th instant."

The question being on concurring in the amendment of the House to the resolution of the Senate,

The ayes and noes were demanded by two Senators:

Those who voted in the affirmative are,

Messrs. Coats, Conduit, Day, Goodnow, Green, Hamrick, Handy, Hardin, Henry, Howel, Huffstetter, Malott, Martin, Morrison, Randall, Read, Simpson, Verbrike, Zenor—19.

Those who voted in the negative are,

Messrs. Beard, Berry, Cassatt, Chenowith, Cornett, Davis, Ellis, English, Holloway, Houghton, Hubbard, James, Miller, Milligan, Montgomery, Murray, Osborn, Robinson, Rousseau, Stewart, Taber, Walpole, Waters, Winchell—24.

The Senate refused to concur.

On motion by Mr. Beard,

A committee of free conferance was appointed on the part of the Senate, to act with a similar committee on the part of the House, to settle the difference between the two Houses in relation to adjourning *sine die*.

Senators Beard and Zenor were appointed, on the part of the Senate, as said committee.

Leave of absence was granted to Mr. Winchell for the remainder of the session.

Mr. Stewart submitted the following report from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred bill of the House No. 434, entitled "An act regulating the width of county roads in Marion county," have had the same under consideration, and instructed me to report the same to the Senate and recommend its passage.

The rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Hamrick submitted the following report from a select committee:

MR. PRESIDENT:

The committee on corporations, to which was referred bill of the Senate No. 314, entitled "A bill concerning incorporated companies in the State of Indiana," have, according to order, had the same under consideration, and directed me to report the same back to the Senate and recommend that it be laid on the table.

Which report was concurred in by the Senate, and the bill laid on the table.

Mr. Ellis submitted the following report from the judiciary committee:

MR. PRESIDENT:

The committe on the judiciary to whom was referred House bill No. 320, to reduce the fees of the clerk of the probate court of Knox county, have instructed me to report the same back for the consideration of the Senate, and ask to be discharged from further consideration of the subject;

Mr. Ellis moved to make the provisions of the bill general.

Not so ordered.

On motion by Mr. Ellis,

The bill was indefinitely postponed.

Leave being granted;

Mr. Houghton introduced,

No. 128. An act to amend "an act to improve Lost river in Martin county;

Was read a first time, the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Leave of absence was granted to Mr. Ellis from to-morrow, for the remainder of the session.

Mr. Robinson submitted the following report from a select committee :

Mr. President :

The committee on claims to whom was referred bill of the House No. 404, have, according to order, had the same under consideration and have directed me to report said bill back to the Senate with one amendment, and when so amended, recommend its passage.

Amend by striking out the second section of said bill.

Which amendment was concurred in by the Senate.

Mr. Robinson offerred the following amendment :

Add at the end of the third section,

"That it shall be the duty of the Governor to take proper measures to procure from the General Government, the refunding of any appropriation bade by this bill."

Which was adopted.

Mr. Berry offered the following amendment :

Amend the bill so as to give the Quartermaster General two hundred dollars, in place of one hundred and fifty dollars.

The ayes and noes being demanded by two Senators ;

Those who voted in the affirmative are,

Messrs. Berry, Day, English, Green, Handy, Hardin, Henry, Howel, Houghton, James, Malott, Martin, Milligan, Montgomery, Morrison, Murray, Osborn, Randall, Rousseau, Stewart, Taber, Walpole, Waters, Winchell,—24.

Those who voted in the negative are,

Messrs. Beard, Chenowith, Coats, Conduit, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Hubbard, Miller, Read, Robinson, Simpson, Verbrike, Zenor—17.

The amendment was adopted.

The bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Randall sudmitted the following report from a select committee :

Mr. President :

The select committee to whom was referred House bill No. 348, entitled "a bill to impose additional duties on the prosecuting attorney of the 12th judicial circuit of the State &c.," have had the same under consideration, and have directed me to report it back to the Senate with one amendment, and upon the Senate concuring therein, to recommend its passage;

Amend as follows :

Strike out all after the enacting clause, and insert,

"The board of county commissioners of the several counties in the 12th judicial circuit, are hereby authorized to make such allowance to the prosecuting attorneys of their respective counties, for their services as they shall deem right and just, not exceeding one hundred dollars in any one year.

This act to take effect and be in force from and after its passage.

Amend the title as follows :

2d. A —— to authorize the county commissioners of the several counties in the 12th judicial circuit, to make an allowance to prosecuting attorney.

Which amendments were concurred in by the Senate.

The bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Rebinson, chairman of the committee on claims, submitted the following report :

Mr. President :

The committee on claims to whom was referred bill of the House No. 418. making additional compensation to the Secretary of State have, according to order, had the same under consideration, and have directed me to report the same back to the Senate with one amendment, and when so amended, recommend its passage;

Amend as follows :

Strike out of the first section of the bill, one hundred, and insert fifty.

Mr. Beard moved to lay the amendment on the table.

Which was so ordered.

The rules suspended, the bill read the third time,

The question being on the passage of the bill,

The ayes and nays were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Chenowith, Day, Davis, English, Ellis, Goodnow, Hamrick, Holloway, Howel, Houghton, Hubbard, Montgomery, Murray, Osborn, Robinson, Rousseau, Simpson, Verbrike, Walpole, Waters, Winchell, and Zenor—24.

Those who voted in the negative are,

Messrs. Berry, Coats, Conduit, Cornett, Green, Handy, Henry, Huffstetter, Malott, Martin, Miller, Milligan, Morrison, Randall, Read, and Taber—16.

The bill passed.

Ordered, That the Secretary inform the House thereof.

The President laid before the Senate the annual reports of the Directors of the Fire Insurance Company.

Which was laid on the table.

Mr. Holloway submitted the following report from a select committee:

Mr. President:

The select committee to which was referred sundry petitions on the subject of the repeal of certain statutes, commonly denominated the "black laws," have had the same under consideration, and have direeted me to report the same back, and ask to be discharged from the further consideration of the subject.

The committee was discharged from the further consideration of the subject.

Mr. Davis, chairman of the committee on the State Bank, submitted the following report:

Mr. President:

The committee on the State Bank to which was referred the reports of the State Bank and branches, have examined the same and find that no action is necessary on the part of the Senate in relation thereto. The committee therefore report the same back to the Senate, and ask that said reports be laid upon the table, and the committee discharged from the further consideration thereof.

Which report was concurred in by the Senate.

Mr. Murray submitted the following report from a select committee:

Mr. President:

The select committee to which was referred bill of the House No. 26, "authorizing the voters of Jefferson township, Kosciusko county, to vote at any adjoining poll in the county," have had the same under consideration, and have instructed me to report said bill back to the Senate with one amendment, and upon the adoption of said amendment, the committee recommend the passage of said bill.

Amendment:

Strike out the whole of said bill from the enacting clause, and insert the following in lieu thereof. (No. 1.)

Amend the title so as to correspond with the body of said bill.

Which amendments were concurred in by the Senate.

Mr. Montgomery moved to amend the bill by adding Madison township, in Warren county, to its provisions.

Which amendment was adopted.

The rules suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Leave being granted,

Mr. Green introduced,

No. 330. A bill to define the time when a certain act herein named, shall take effect and be in force;

Was read the first time, the rules suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Leave being granted,

Mr. Waters introduced,

No. 329. An act relative to the counties of Carroll and Clinton;

Which was read the first time, the rules suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House, by Mr. Ward their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills thereof, to-wit.

No. 99. An act in regard to bonds of county officers;

No. 213. An act to amend the 28th chapter of the Revised Code of 1843, relative to the acknowledgement of deeds and other instruments in writing;

No. 226. An act in relation to constables;

No. 241. An act to amend article 5, chapter 45 of Revised Code of 1843;

No. 285. An act repealing the law in certain counties authorizing the clerks to receive pay for extra services;

No 304. An act to repeal a certain act therein named;

No. 360. An act to repeal the latter clause of the 6th section of an act in reference to the Central canal, approved January 13, 1846;

No. 366. An act to provide for the refunding of payments to purchasers at tax sales, where the sale is invalid;

No. 428. An act to amend the 176 section of the 13 chapter of the Revised Statutes of 1843;

No. 474. An act for the relief of Lucian Barbour, John Elder, and Edwin J. Peck;

No. 476. An act to amend an act granting the citizens of Lawrenchburgh a city charter, and for revising and repealing all laws and parts of laws heretofore enacted on that subject, approved January 20, 1846;

In all of which the concurrence of the Senate is respectfully requested.

Nos. 99, 213, 226, 241, 304, 428, contained in the message, were severally read the first time, the rules suspended, the bills read a second time and referred to the judiciary committee.

No. 285, contained in the message, was read the first time, the rules suspended and the bill read a second time, and

On motion by Mr. Miller,

Was laid on the table.

Nos. 360, 366, contained in the message, were read the first time, the rules suspended, the bills read a second time and referred to the committee on finance.

No. 474, contained in the message, was read the first time, the rules suspended, read a second time and referred to the committee on claims.

No. 476, contained in the message, was read the first time, the rules suspended, the bill read a second and third times a passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills and joint resolution thereof, to wit:

No. 234. An act to require the trustees of the Indiana University to report to the General Assembly.

No. 424. An act to exempt the property of blind and deaf and dumb persons from taxation.

No. 463. An act to confirm to Mary Williams the sale of a lot in Pittsburgh.

No. 469. A joint resolution in relation to the education society of Indiana.

No. 470. An act to legalize the sale of certain land.

No. 471. An act to locate a State road in Franklin county;

In all of which the concurrence of the Senate is respectfully requested.

Nos. 234, 443, 463, 469, 470, and 471, contained in the message, were severally read the first time, the rules suspended, the bills read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

No. 424, contained in the message was read the first time, the rules suspended, the bill read a second time and referred to the committee on finance.

The following messages were received from the House of Representatives, by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 215. An act to revive and amend the act relative to the Covington Draw Bridge company.

No. 222. An act to authorize the sale of certain lots in Indianapolis.

No. 251. An act to re-appraise the Wabash and Erie canal lands.

No. 315. An act to incorporate the Peru, Rochester, Plymouth, and South Bend Railroad company.

No. 374. An act relative to high waters in the county of Jackson.

No. 375. An act for the benefit of Michael Riley.

No. 378. An act to establish a State road on a part of the county line dividing the counties of Wayne and Randolph.

No. 379. An act making the side cut constructed by the Delphi storage and forwarding company a part of the Wabash and Erie canal.

No. 381. An act to incorporate the town of Washington, Wayne county, Indiana.

No. 382. An act to incorporate the English and German Evangelical Lutheran St. Paul's Church in the county of Dearborn.

No. 383. An act to incorporate the town of Eaglevillage in Boone county.

No. 384. An act to incorporate the town of New Columbus in Madison county.

In which the concurrence of the Senate is respectfully requested.

No. 222, contained in the message, was read the first time, the rules suspended, the bill read a second time and referred to the committee on the affairs of the town of Indianapolis.

No. 251, contained in the message, was read the first time, the rules supended, the bill read a second time and laid on the table.

Nos. 315, 374, 378, 379, 381, 382, 383, and 384, contained in the message, was read the first time, the rules suspended, the bills read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

No. 375, contained in the foregoing message, was read the first time, the rules suspended, the bill read a second time and referred to a select committee of Senators Ellis, Davis, and Houghton.

The following message was received from the House by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrosed bills thereof:

No. 268. An act to incorporate the town of Winchester, in Randolph county, Indiana.

No. 349. An act to change a part of the Fort Wayne and Indianapolis State road in the counites of Wells and Huntington.

No. 351. An act to encourage the organization of Fire companies.

No. 354. An act changing the name of William Jackson to that of William Jackson Morgan.

No. 355. An act authorizing the board of commissioners of Elk hart county to direct the sale of certain school lands;

In which the concurrence of the Senate is respectfully requested.

The House have also passed the following engrossed joint resolution of the Senate, without amendment:

No. 146. A joint resolution relative to a mail route from Salem to Bloomington.

Nos. 268, 349, 351, 354, and 35, contained in the message;

Was read the first time.

The rules being suspended, the bills were read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the House:

No. 401. An act declaring certain lots in the town of Greencastle, without the corporation of said town;

No. 407. An act for the relief of persons who have made improvements on school sections in the Miami Reserve;

No. 198. An act in relation to school funds in the county of Daviess;

No. 308. An act for the relief of Thomas M. Gibson and others;

No. 177. An act to legalize the assignment of a certificate for certain school land therein named;

No. 267. An act to vacate the streets, and alleys, and town lots in Georgetown, in the county of Adams;

No. 192. An act in relation to the pay of grand and petit jurors in certain counties therein named;

No 225. An act authorizing county auditors to take acknowledgement of deeds in certain cases;

No. 231. An act for the purposes therein named;

No. 182. An act to legalize the assignment of a certificate for certain school land in Morgan county, and for other purposes;

No. 180. An act to repeal part of an act authorizing the State Bank of Indiana to lay off, platt and record in out lots, certain lands adjoining and lying near to the town of South Bend, in St. Joseph county;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bills, and they were delivered to the committee on enrolled bills, to present to his Excellency the Governor, for his approval and signature.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following joint resolution:

No. 493. A joint resolution accepting the Colors of the Third Regiment of Indiana Volunteers;

In which the concurrence of the Senate is respectfully requested.

No. 493. Contained in the message;

Was read the first time.

The rules being suspended, the joint resolution was read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof, to-wit:

No. 447. An act to amend an act entitled an act to provide for the election of Prosecuting attorneys in the several counties, approved January 27, 1847;

In which the concurrence of the Senate is respectfully requested.

No. 447. Contained in the message;

Was read the first time.

The rules being suspended, the bill was read a second time and referred to the judiciary committee.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have refused to concur in the amendments of the Senate, to bill of the House

No. 37. An act to incorporate the Connersville Hotel Company;

On motion,

The Senate receded from their amendment to bill No. 37.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following joint resolution of the Senate, with one amendment:

No. 311. A preamble and joint resolutions in relation to the Flag of the Second Indiana Regiment;

In which amendment of the House the concurrence of the Senate is respectfully requested.

No. 311. Contained in the message;

Was read the first time.

The rules were suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill thereof:

No. 429. An act declaring certain acts therein named in force;

In which the concurrence of the Senate is respectfully requested.

No. 429. Contained in the message;

Was read the first time.

The rules were suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Message from the House by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill thereof:

No. 480. An act for the relief of certain persons therein named;

In which the concurrence of the Senate is respectfully requested.

No. 480. Contained in the message;

Was read the first time.

The rules being suspended, the bill was read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill thereof:

No. 454. An act to incorporate the College Corner and Cambridge City Railroad Company;

In which the concurrence of the Senate is respectfully requested.

No. 454. Contained in the message;

Was read the first time.

The rules being suspended, the bill was read a second time, and referred to a select committee.

Messrs. Simpson, Hubbard, and Walpole, were appointed said committee.

Message from the House, by Mr. Ward, their clerk·

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following joint resolution of the Senate with one amendment:

No. 89. A joint resolution requesting the Governor of Indiana to present a sword to General Joseph Lane.

In which amendment of the House the concurrence of the Senate is respectfully requested.

The question being on concurring in the engrossed amendment of the House,
The Senate refused to concur.

Ordered, That the Secretary inform the House thereof.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate without amendment:

No. 233. A act to incorporate the Chamberlin Mills.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate without amendment:

No. 303. An act to revive and amend an act entitled "An act to incorporate the Crawfordsville, Covington, and Illinois Railroad company," approved Feb. 5, 1836.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled act of the House:

No. 128. An act granting to the citizens of the town of Aurora, in the county of Dearborn, a city charter.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bill, and it was delivered to the committee on enrolled bills to present to the Governor for his approval and signature.

Message from the House of Representative, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled act of the Senate:

No. 264. An act to incorporate the Lyceum of Wabash College.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bill, and it was delivered to the committee on enrolled bills to present to his Excellency the Governor for his approval and signature.

Message from the House of Representatives, by Mr. Ward, their clerk:

MR PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House of Representatives have passed the following engrossed bill of the Senate without amendment:

No. 287. An act in relation to the New Albany and Vincennes Turnpike road.

Message from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the engrossed amendments of the Senate to the following engrossed bills of the House:

No. 156. An act to repeal "an act providing for the election of supervisors of highways in the counties of Decatur, Jefferson, and Spencer," approved December 26, 1844.

No. 224. An act authorizing the boards doing county business to continue in session ten days at their March and June sessions.

No. 370. An act for the benefit of widows.
No. 450. An act amendatory of the charter of the city of Indianapolis.

And that the House have also passed the following engrossed bill of the Senate without amendment:

No. 295. An act in relation to mortgages due to the treasury fund and the Indianapolis fund.

Senate adjourned.

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2 O'clock, P. M.

The Senate assembled.

On motion by Mr. Stewart,
The vote taken on bill of the House
No. 503. A bill for the relief of Joseph I. Stretcher and Robert N. Allen, commissioners appointed by the Governor under a joint resolution of the last session of the General Assembly, providing for the removal of the remains of the late Hon. Tilghman A. Howard, from the State of Texas to the State of Indiana;
Was reconsidered,
When Mr. Stewart offered the following amendment:
Strike out "one hundred and sixty dollars," as an allowance to Jos. I. Stretcher, and insert "four hundred and fifty dollars."
The question being on striking out,
It was so ordered.
Mr. Hardin moved to insert $350.
Mr. Rousseau moved to insert $300.
The question being on the adoption of Mr. Stewart's amendment,
It was not adopted.
The question being on inserting $350,
It was so ordered.
On motion by Mr. Davis,
The sum of "one hundred and sixty dollars and twenty-six cents," to be paid to Robert N. Allen, of Park county, was stricken out, and "three hundred and fifty dollars" inserted in lieu thereof.
The bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have appointed Messrs. Harvey and Kinney, a committe of free conference on the part of the House, to act with a similar committee appointed by the Senate, relative to the disagreement of the two Houses, as to the time of the adjournment *sine die* of the present General Assembly, and that the House insist upon their amendment.

Leave being granted;
Mr. Walpole introduced,
No. 332. A bill releasing the right of the State to certain land in Hancock county which was acquired by escheat;
Was read a first time, the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Leave being granted;
Mr. Coats introduced,
No. 333. A bill for the relief of the heirs of Ezra Smith, deceased;
Was read a first time, the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

On motion,
Leave of absence was granted to Messrs. Hubbard, Conduit, and Green, for the remainder of the session.
Joint resolution No. 66, being the special order of the day, was taken up.
Mr. Walpole moved that the further consideration of the the joint resolution be indefiniely postponed.
Which was not agreed to.
Mr. Rousseau moved to lay the joint resolution on the table.
Which was so ordered.
Message from the House by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following enrolled bill of the House, the objections of the Governor to the contrary notwithstanding;

No. 347. An act to vacate an alley in Cambridge city.

And have directed me to bring said bill and objections of the Governor to the Senate for their consideration.

To the House of Representatives:

GENTLEMEN:—I return herewith a bill which originated in your body, entitled "an act to vacate an alley in Cambridge city," with the reasons which impelled me to withhold from it my signature of approval.

Ample provision is already made by a general law, (article 2, chap. 24, Revised Statutes,) to accomplish the object of this bill, on application to the authorities of an incorporated town, or to the board of county commissioners as to an unincorporated town, or one the corporate powers of which, had fallen into disuse.

By the adoption of that course notice must be given, and there the less fear of doing injustice to individuals. As an illustration; at the last session an act was passed, vacating a certain street and alley in the town of Bloomington; (Local Laws, p. 269,) and at the present session a bill has already been passed repealing it.

I need not repeat the many reasons, against special legislation. Its concomitants and results are too well known, it is hoped, not to be deprecated. And, as by the fortunate existance of a general law, there is no necessity for passing a special act in this instance, no mode of obviating the evil suggests itself, but that now adopted.

JAMES WHITCOMB.

February 11th 1848.

The question being on the passage of the bill notwithstanding the objections of his Excellency the Governor;

Those who voted in the affimative are,

Messrs. Beard, Conduit, Cornett, Davis, Ellis, Goodnow, Hamrick, Holloway, Houghton, Montgomery, Murray, Osborn, Robinson, Rousseau, Simpson, Winchell, Zenor—17.

Those who voted in the negative are,

Messrs. Berry, Coats, Day, English, Green, Handy, Henry, Howel, Huffstetter, James, Malott, Martin, Miller, Milligan, Morrison, Randall, Read, Taber, Waters—19.

The bill did not pass.

Leave being granted,

Mr. Ellis changed his vote given on the passage of —— bill No. —— over the objections of the Governor.

Leave being granted;

Mr. Montgomery introduced,

No. 234. A bill to authorize the county commissioners of Warren

county to establish an additional place of holding elections in Medina township of said county.

Was read a first time, the rules being suspended, the bill was read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Murray submitted the following report from the committee on finance:

MR. PRESIDENT:

The committee to whom was roferred bill No. 424 of the House of Representatives, have had the same under consideration, and have directed me to report it back without amendment and recommend its passage.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Henry submitted the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary to whom was referred bill of the House No. 204, entitled "An act relative to sureties of justices of the peace," have had the same under consideration, and directed me to report it back to the Senate and recommend that it be indefinitely postponed.

Which was concurred in by the Senate.

Mr. Henry submitted the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary to whom was referred bill of the Senate No. 313, entitled "An act to authorize clerks of courts having a seal to take acknowledgment of deeds in other States," have had the same under consideration, and directed me to report the same back to the Senate and recommend that it be indefinitely postponed.

Which was concurred in by the Senate.

Mr. Hubbard made the following report from the judiciary committee:

MR. PRESIDENT:

The judiciary committee to which was referred bill of the House No. 256, have had the same under consideration, and directed me to report the same back to the Senate and recommend its indefinite postponement.

Which was concurred in by the Senate.

Mr. Henry made the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary to whom was referred bill No. 253, entitled "An act to amend section 4, article 1, chapter 7, of the Revised Statutes of 1843, have had the same under consideration, and directed me to report the same back to the Senate and recommend its passage.

Which bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Henry made the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary to whom was referred bill of the House No. 153, entitled "An act to authorize William Horner to convey certain real estate," have had the same under consideration, and directed me to report the same back to the Senate and recommend that it be indefinitely postponed.

The bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Hubbard made the following report from the judiciary committee:

MR. PRESIDENT:

The judiciary committee to which was referred bill of the House No. 369, have had the same under consideration, and directed me to report the same back to the Senate and recommend its indefinite postponement.

Which report was concurred in by the Senate.

Mr. Hubbard made the following report from the judiciary committee:

MR. PRESIDENT:

The judiciary committee to which was referred bill of the House No. 365, have had it under consideration, and directed me to report the same back to the Senate and recommend its indefinite postponement.

The bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Malott made the following report from the finance committee:

MR. PRESIDENT:

The committee on finance, to whom was referred bill of the House No. 366, entitled "A bill to provide for the refunding of payments to purchasers at tax sales, when the sale is invalid" have, according to order, had the same under consideration and directed me to report that the committee are unwillling to favor the passage of any act which tends to derange the established regulations of the Treasury Department of the State, and therefore unanimously recommend that the bill be indefinitely postponed.

Which report was concurred in by the Senate.

On leave, Mr. Berry introduced,

No. 335. A joint resolution in relation to making compensation to the Adjutant General of the State;

Which was read the first time, the rules suspended, the joint resolution read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Handy,

Resolved, That no more new business shall be introduced into the Senate after to-day unless by the uuanimous consent of the Senate.

On motion by Mr. Rousseau,

Resolved, That the thanks of this Senate be, and they are, tendered to the Principal and Assistant Secretaries of the Senate, and their assistants, for the prompt and able manner in which they have discharged their respective duties at the present session of the legislature.

On motion by Mr. Morrison,

Resolved, That the thanks of the Senate are hereby tendered to the reporters of the Indiana State Sentinel and Journal, for the able and impartial manner in which they have discharged the duties of reporters to this Senate.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate, with an amendment:

No. 296. An act for the relief of replevin bail;

In which amendment of the House the concurrence of the Senate is respectfully requested.

Which amendment of the House was concurred in by the Senate.

And that the House have also passed the following engrossed bill of the Senate without amendment:

No. 248. An act to locate a state road from Logansport, in Cass county, to Winnemac, in Pulaski county.

Mr. Stewart made the following report, from the committee of free conference on the part of the Senate to adjust the disagreement of the two Houses relative to bill of the House No. 87.

MR. PRESIDENT:

The committee of free conference appointed on the part of the Senate to compromise the difference between the Houses in reference to House bill No. 87, entitled "A bill fixing the time of holding circuit courts in the county of Marion, and for other purposes," have had that matter under consideration and have agreed to compromise the difference between the two houses in the manner following:

Strike out the first section of said bill and insert the following section in lieu thereof and recommend the concurrence of the Senate to said amendment:

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, That hereafter the Marion circuit court shall hold three terms in each year; the first term to commence the first Monday in June, the second term on the first Monday in October, and the third term on the first Monday in February in each year. Each term shall continue four weeks, if the business thereof shall require it.

Which was concurred in by the Senate.

Mr. Ellis made the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary to which had been referred House bill No. 213, have instructed me to report the same back to the Senate and recommend that the same be indefinitely postponed, and ask to be discharged from the further consideration of the subject.

Which report was concurred in by the Senate.

Mr. Rousseau made the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary to whom was referred bill No. 226 entitled "An act in relation to constables," have had that subject under consideration and have directed me to report the bill back to the Senate and recommend its indefinite postponement.

Which report was concurred in by the Senate.

Mr. Randall made the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to which was referred House bill No. 428, have had the same under consideration, and have directed me to report the same back without amendment, and recommend that the same be indefinitely postponed.

Which report was concurred in by the Senate.

Mr. Hubbard made the following report from the committee on education:

MR. PRESIDENT:

The committee on education, to which was referred the petitions of sundry citizens of this State, asking the legislature to grant a share of the common school funds for the purpose of establishing public German schools, has had the same under consideration, and directed me to report, that it duly appreciates the motives influencing the petitioners, but while the committee would cheerfully afford that industrious and meritorious portion of our population of which the petitionors compose a part, all the advantages which can be given them, consistently with the judicious management of our common school funds, it believes the division of the funds necessary to carry into effect the prayer of the petitioners, would be productive of more injury than advantage.

This view of the matter, together with the fact that under the existing laws of the State, the petitioners and others similarly situated, may, with some restrictions, avail themselves of the benefits of these funds, induces your committee to the conclusion that further legislation upon the subject is inexpedient.

Which report was concurred in by the Senate.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 303. An act to authorize clerks of circuit courts to take and approve certain bonds;

No. 507. An act to authorize Aaron Houghton, administrator, &c., to compound a certain claim;

No. 508. An act to require the school commissioner of Marion county to give bond and take an oath of office;

No. 509. An act for the relief of James Vanblaricum;

No. 512. An act to incorporate the Vermillion Academy;

No. 518. An act to authortze the location of a State road on the county line of Lake and Porter counties;

In which the concurrence of the Senate is respectfully requested.

No. 305, contained in the message,
Was,
On motion by Mr. Rousseau,
Laid on the table.

Nos. 507, 512, 518, 508, comtained in the message,
Were severally read the first time.

The rules were suspended, the bills read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

No. 509, contained in the message,
Was read the first time.

The rules being suspened, and the bill was read a second time and referred to the committee on claims.

Mr. Henry made the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred bill of the House No. 304, entitled an act therein named, have had the same under consideration, and directed me to report the same back to the Senate and recommend its passage.

Which bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Osborn made the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to which was referred House bill No. 241, have had the same under consideration, and have instructed me to report it back with one amendment, and, when so amended, recommend its passage, and said committee ask to be discharged from the consideration of said bill.

Said amendments are as follows:

Amend section 3 as follows:

1st. Insert after the word "justice," in the 2d line, the words "or either party may demand a jury as in the trials of other actions."

2d. Insert after the word "justice," in the 7th line, the words "or the verdict of the jury."

Which amendments were concurred in by the Senate.

The bill was read a third time and passed

Ordered, That the Secretary inform the House thereof.

Mr. Davis made the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to which was referred bill of the House No. 447, to amend an act entitled "An act to provide for the election of prosecuting attorneys in the several counties," have had the same under consideration, and have instructed me to report said bill back to the Senate and recommend that it be indefinitely pestponed.

Which report was concurred in by the Senate,

Mr. Davis made the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to which was referred bill of the House No. 99, in regard to bonds of county officers, have had the same under consideration, and have instructed me to report said bill back to the Senate and recommend its passage.

Which bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 521. An act to revive an act entitled 'An act to provide for a more uniform mode of doing township business in the several counties therein named," approved February 17, 1838;

No. 472. An act to incorporate the Attica Hydrant Company;

No. 523. An act to authorize the Agent of State to make a settlement with John Burke;

No. 524. An act to curtail the expenses of the State;

In which the concurrence of the Senate is respectfully requested.

Nos. 521, 472, 523, contained in the foregoing message,

Were severally read the first time, and the rules suspended, the bills read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

No. 524, contained in the foregoing message,

Was read the first time, and the rules suspended, the bill read a second time and referred to the committee on finance.

The following message was received from the House by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 525. An act for the relief of the voters of Sullivan county;

No. 527. An act to amend sections 134 and 137, of chapter 37, of the Revised Statutes of 1843;

In which the concurrence of the Senate is respectfully requested.

No. 525. Contained in the message,

Was read the first time, the rules suspended, the bill read a second time;

Mr. Rousseau moved to amend by inserting the county of Green.

Mr. Hardin moved to add Johnson county, to the provisions of the bill.

Mr. Ellis moved to indefinitely postpone the bill and amendments.

Messrs. Beard and Hardin demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Beard, Berry, Chenowith, Coats, Day, Davis, Ellis, Goodnow, Green, Handy, Holloway, Howel, Hubbard, Huffstetter, Miller, Milligan, Montgomery, Randall, Read, Simpson, Stewart, Taber, Verbrike—23.

Those who voted in the negative are,

Messrs. Conduit, English, Hamrick, Hardin, Henry, Houghton, James, Malott, Morrison, Murray, Osborn, Rousseau, Walpole, Winchell, Zenor—15.

The bill was so postponed.

No. 527. Contained in the message,

Was read the first time, and the rules suspended, and the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Morrison,

No. 305. An act to authorize clerks of circuit courts to take and approve certain bonds;

Was taken from the table and referred to the committee on finance.

By Mr. Walpole,

No. 336. A joint resolution relative to the insane hospital;

Was read a first time, the rules suspended, the bill read a second time and referred to the committe on benevolent institutions of the State.

The following message was received from the House of Representatives by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the Speaker of the House has signed the following enrolled acts of the Senate:

No. 263. An act to incorporate the Demosthenian literary society of Franklin college.

No. 41. An act to extend the time for appraising certain lands belonging to the Wabash and Erie canal.

No. 82. An act to vacate a portion of a certain road therein named.

No. 145. An act to provide for draining swamps and wet lands in Vanderburgh, Cass, Pulaski, and Fulton counties.

No. 199. An act for the relief of the securities of James H. Kintner late school commissioner of Cass county.

No. 2. An act to incorporate the Richmond University.

No. 182. An act to revise an act entitled, "an act to incorporate the Lafayette and Danville railroad company," approved February 5, 1836.

No. 213. An act to authorize Roderick M. Siler to relinquish certain school land.

No. 140. An act to incorporate the Portland and Ohio railroad company.

No. 299. An act to authorize the county commissioners of Adams county to employ a prosecuting attorney for said county.

No. 98. An act for the relief of the heirs of John Widney.

No. 278. An act to incorporate the Owensville Public House in the county of Gibson.

No. 153. An act to amend an act entitled "an act to provide for a free turnpike road in Steuben county.

No. 271. An act for the relief of John Watts.

No. 283. An act to amend an act entitled, "an act declaratory of and to amend an act entitled, "an act authorizing Joseph Quinn and James Norvill to erect toll bridges," approved January 15, 1846

And also the following enrolled act of the House:

No. 232. An act declaring the meaning of an act to amend an act amendatory to an act incorporating Michigan City, approved February 15, 1841.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bills and they were delivered to the committee on enrolled bills to present to his Excellency the Governor for his approval and signature.

The following message was received from the House of Representatives by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bills of the House:

No. 252. An act to amend an act entitled an act to amend an act entitled an act for the benefit of persons who are likely to suffer by the distruction of the records of Miami county by fire, and to provide for the election of a commissioner to restore said records, approved January 13, 1845.

No. 170. An act to locate a State road in the counties of St. Joseph and Laporte.

No. 210. An act to change the name of Bazaleel Thomas to that of Bail Thomas.

No. 31. An act relative to probate judges in the county of Porter.

No. 30. A joint resolution in relation to increasing the clothing and pay of volunteer non-commissioned officers and privates belonging to our armies in Mexico;

No. 290. An act incorporating the Harrison, New Trenton, Rochester, and Brookville turnpike company;

No. 172. An act to authorize John Webster to build a mill dam across the little St. Joseph river in DeKalb county;

No. 260. An act to authorize the auditor of Franklin county to sell certain school lands therein named;

No. 292. An act to re-locate a State road in the county of Delaware;

No. 160. An act to incorporate the German Evangelical Lutheran St. Johns church in Dearborn county;

No. 158. An act to locate a State road in the counties of White and Carroll;

No. 254. An act authorizing the probate court of Marion county to order deeds to be made for certain lots in Laporte, Laporte county Indiana;

No. 255. An act to vacate part of the Indianapolis and Centreville State road;

No. 247. An act to revive an act entitled an act to incorporate the town of Muncie in Delaware county;

No. 248. An act authorizing county auditors to make deeds in certain cases;

No. 259. An act to locate a State road in the counties of Franklin and Ripley;

No. 162. An act to locrte a State road in Madison and Hamilton counties;

No. 164. An act to repeal an act therein named;

No. 150. An act to incorporate the Clay Cotton Mills;

No. 246. An act for reducing the fee for recording deeds in Delaware county;

No. 243. An act authorizing the sheriff of Dearborn county to use the Jail at Wilmington for a certain time therein named;

No. 20. An art declaring a misprint in "an act to amend the practice in the probate court," approved January 28, 1847;

No. 284. A joint resolution of thanks to captain Simonson and captain Ford;

No. 165. An act to vacate a part of the town of Hagerstown, Wayne County;

No. 262. An act to vacate a certain street in the village of Byron, in Laporte county;

No. 455. An act to legalize an act of the board of commissioners of Madison county;

No. 219. An act to repeal an act entitled "An act defining the duties of county treasurers," passed January 13th 1845;

No. 200. An act repealing an act therein named;

No. 216. An act to authorize the clerk of Sullivan county to offer and sell certain lots and lands therein named, at the court house door in Sullivan county;

No. 175. An act relative to a state read therein named;

No. 214. An act to provide for the improvement of the town of Williamsport;

No. 159. An act to incorporate the Madison and Cross Plains Turnpike Company;

No. 21. An act to authorize the Dearborn Probate court to make certain orders and decrees therein named;

No. 291. An act to authorize the voters of certain townships to sell their school lands;

No. 29. An act granting additional compensation to the judges of St. Joseph, Lagrange, and Bartholomew counties;

No. 240. An act in relation to road tax in the county of Howard;

No. 235. An act to authorize Sarah Shannon to convey certain real estate;

No. 237. An act to legalize the vacation of certain streets, lots, and alleys in South Bend;

No. 238. An act to legalize the acts of Michael Shiel, a justice of the peace of Hamilton county;

No. 166. An act declaring a misprint in the first section of an act of the Local Laws of 1847, in relation to the surplus revenue agent of Perry county;

No. 173. An act to repeal an act vacating a part of the town of Milford, in Kosciusko county.

No. 168. An act to authorize Nottingham Merser to build a mill dam across the Wabash river in Adams county.

No. 129. An act to repeal an act therein named.

No. 28. An act declaring certain words in section 43, chapter 16 of the Revised Statutes of 1843 a misprint.

No. 801. An act to incorporate the Cambridge and Milton Turnpike company.

No. 161. An act to revive the road laws in the counties of Lake and Porter.

No. 45. An act to extend the jurisdiction of Justices of the Peace in the counties of Lake and Porter.

No. 1. A joint resolution relative to the reduction of postage on newspapers and periodicals.

No. 98. An act to incoporate the town of Peru.

No. 293. An act authorizing the location of a State road in the counties of Clinton and Howard.

No. 89. An act to incorporate the Kosciusko, Elkhart and Miami Railroad company.

No. 59. An act to authorize the Trustees of school district No. 1, in town 37 north, range 5 east, in Elkhart county, to raise an additional tax.

No. 46. An act to fix the time of holding the probate courts in the county of Putnam.

No. 5. An act to change the time of holding the probate courts in Clark county.

No. 96. An act changing the venue in the case of the State Indiana against Willis M. Miller, from the county of Daviess, in the

tenth judicial circuit of Indiana, to Green county, in the same judicial circuit.

No. 23. An act to locate a State road in the counties of Allen and De Kalb.

No. 74. An act regulating special elections ordered by the Governor.

No. 36. An act to authorize the board doing county business in Orange county to dispense with a road tax.

No. 63. An act extending the time for holding the several terms of the probate court of Madison county.

No. 4. An act to amend an act entitled "An act to establish a State road on a portion of the dividing line of the counties of De Kalb and Steuben," appproved January 2, 1847.

No. 66. An act to establish the office of school commissioner in the county of Floyd, and for other purposes.

Which I am directed to bring to the Senate for the signature of the President thereof.

Thereupon the President affixed his signature to said enrolled bills and they were delivered to the committee on enrolled bills to present to his Excellency the Governor for his approval and signature.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the followiug enrolled acts of the House:

No. 322. An act to authorize the board doing county business in the county of Dubois to levy or dispense with a road tax at their discretion.

No. 325. An act for the relief of Syria Aldrich.

No. 326. An act to amend the seventy-sixth section of the 15th chapter of the Revised Statutes.

No. 329. An act for the relief of the purchasers of school lands in the counties of Carroll and Clinton.

No. 332. An act providing for the survey and record of roads in Elkhart county.

No. 333. An act to authorize the sale of the Library of Decatur county.

No. 361. An act to authorize Libbeus Frisbie, of the county of Crawford, to build a toll-bridge across Blue river in said county.

Which I am directed to bring to the Senate for the signature of the President thereof.

Thereupon the President affixed his signature to said enrolled bills, and they were delivered to the committee on enrolled bills to

present to his Excellency the Governor for his approval and signature.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the House:

No. 114. An act to authorize the inspection of hay in the several counties in this State;
No. 155. An act vacating a certain State road therein named;
No. 167. An act to change the name of Melissa Davis to Melissa Emeline Miller;
No. 211. An act authorizing the board of Madison county commissioners to do a certain act;
No. 294. An act to locate a State road in Allen and De Kalb counties;
No. 295. An act regulating the sale of spirituous liquors in the town of Centreville, Wayne county;
No. 296. An act to authorize the board of commissioners to lease the Seminary in the county of Wayne;
No. 297. An act to incorporate the town of Clinton;
No. 317. An act in reference to the fees of the clerk of Sullivan county;
No. 318. An act for the relief of Dempsey Linton, of Randolph county:
No. 321. An act to authorize the board of commissioners of the county of Grant to order an election for an additional Justice of the Peace in Centre township, and for other purposes;
No. 184. An act to vacate certain enlargements to the city of Evansville;
No. 353. An act to incorporate the Boonville and Ohio River Railroad company;

And that the Speaker has also signed the following enrolled acts of the Senate:

No. 152. An act to amend an act entitled "An act to incorporate the Terre Haute and Richmond railroad company," approved January 26, 1847;
No. 98. An act for the relief of John Widney;
No. 303. An act to revive and amend an act entitled "An act to incorporate the Crawfordsville, Covington and Illinois Railroad company;"
No. 276. An act to amend an act therein named;
No. 147. An act to change the name of Granville, in Tippecanoe county;
No. 282. A joint resolution in relation to the contract entered into between the State of Indiana and her bondholders;

All of which I am directed to bring to the Senate for the signature of the President thereof.

Thereupon the President affixed his signature to said enrolled bills, and they were delivered to the committee on enrolled bills to present to his Excellency the Governor for his approval and signature.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the House:

No. 339. An act to repeal the 4th section of the 47th chapter of the Revised Statutes so far as relates to Elkhart county;
No. 456. An act to amend "An act to provide for the election of prosecuting attorneys by the people," approved Jan. 27, 1847;
No. 195. An act to provide for the construction of a railroad from Martinsville, in Morgan county, to Point Commerce, in Green county;
No. 187. An act to authorize the location and establishment of a State road from Bedford, in Lawrence county, by Clear Spring in Jackson county, to Columbus in Bartholomew county;
No. 206. An act to authorize the sale of lots for delinquent taxes in the town of Brownstown;
No. 365. An act to authorize John S. Woodard to convey certain real estate;
No. 267. An act to change the name of Charlotte Leggett Fox Dubois, to Charlotte Fox Dubois Ladd;
No. 136. An act for the relief of Simon and John Bottorff;
No. 146. An act to incorporate the Indiana Canal company;
No. 245. An act for the relief of Joseph R. Pratt;
No. 419. An act to extend the February term of the Probate court in the county of Washington.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the House:

No. 234. An act to require the Trustees of the Indiana University to report to the Legislature;
No. 43. An act for the relief of the widow and the heirs of Benjamin Innman, late of Greene county, deceased;
No. 470. An act to legalize the sale of certain lands;
No. 415. A joint resolution in relation to volunteers who have settled on Government lands in the Great Miami Reserve;

No. 445. An act authorizing the State Librarian to procure a suitable book in which to record the names of the volunteers from the State of Indiana;

No. 491. A joint resolution in relation to certain canal funds;

Which I am directed to bring to the Senate for the signature of the President thereof.

Thereupon the President affixed his signature to said enrolled bills, and they were delivered to the committee on enrolled bills to present to his Excellency the Governor for his approval and signature.

Mr. Hardin, chairman of the committee on enrolled bills, made the following report:

MR. PRESIDENT:

The committee on enrolled bills have examined and compared enrolled bills of the Senate Nos. 140, 213, 284, 271, 153, 262, 299, 98, 182, 82, 278, 2, 143, and 199, with the engrossed, and find them correctly enrolled.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have compared bill of the Senate No. 276, with the engrossed, and find it correctly enrolled.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have compared bill of the Senate No. 303, and joint resolution No. 282, with the engrossed, and find them correctly enrolled.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor, for his approval and signature, bills of the House Nos. 332, 329, 326, 325, 322, 321, 318, 317, 297, 296, 333, 294, 211, 167, 155, 114, 361, and 295.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor, for his approval and signature, bills of the House Nos. 246, 264, 162, 248, 259, 243, 20, 284, 165, 262, 455, 219, 200, 216, 175, 214, 159, 21, 291, 29, 240, 235, 237, 238, 166, 173, 168, 129, 28, 301, 161, 45, 1, 98, 293, 89, 59, 5, 46, 96, 23, 74, 63, 4, 66, 36, 252, 170, 210, 31, 30, 290, 172, 260, 292, 160, 158, 254, 255, 247.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor, for his approval and signature, bills of the Senate No. 141, 263, 82, 145, 2, 199, 182, 278, 153, 271, 140, 213, 283, 299, and bills of the House Nos. 192, 407, 308, 198, 177, 269, 180, 225, 401, 231, 182, and 232.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor, for his approval and signature, bills of the Senate Nos. 276, 98, 282, 147, and bills of the House Nos. 184, 339, 19, 353, 195, 456, 187, 136, 245, 267, and 206.

The Senate adjourned.

TUESDAY MORNING, FEBRUARY 15, 1848.

The Senate assembled.

Reading the journal was dispensed with.

On motion by Mr. Handy,

The vote taken yesterday on the passage of House bill No. 503 was reconsidered.

The question being on reconsidering the vote taken on the adoption of the amendment offered by Mr. Hardin,

It was so agreed to.

Mr. Handy moved to lay the amendment on the table;

Which was so ordered.

The question being on the passage of the bill;

The bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Robinson, chairman of the committee on claims, submitted the following report:

Mr. President:

The committee on claims, to whom was referred bill of the House No. 474, for the relief of Lucian Barbour and others, have, according to order, had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend its passage.

The rules being suspended, the bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from his Excellency the Governor, by his Private Secretary, Mr. James M. Sleeth:

Mr. President:

I am directed by the Governor to inform the Senate that he did, on yesterday, approve and sign the following bills:

No. 131. An act to amend an act entitled an act to incorporate the city of Logansport, approved January 13th, 1845;

No. 182. An act to revive an act entitled an act to incorporate the Lafayette and Danville Rail Road Company, approved February 5th, 1846;

No. 199. An act for the relief of the securities of James H. Kintner, late school commissioner of Cass county;

No. 271. An act for the relief of John S. Watts;

No. 153. An act to amend an act entitled an act to provide for a free turnpike road in Steuben county;

No. 278. An act to incorporate the Owensville Public House, in the county of Gibson;

No. 299. An act to authorize the county commissioners of Adams county to employ a prosecuting attorney for said county;

No. 283. An act to amend an act entitled an act authorizing Jos. Quinn and James Norrell to erect toll bridges, approved January 17th, 1846;

No. 213. An act to authorize Roderick M. Siler to relinquish certain school lands;

No. 140. An act to incorporate the Portland and Ohio Railroad Company;

No. 82. An act to vacate a portion of a certain road therein named;

No. 145. An act to provide for draining swamps and wet lands in Vanderburgh, Cass, Pulaski, and Fulton counties;

No. 2. An act to incorporate the Richmond University;

No. 155. An act to change the time of holding the commissioners' court in Jefferson county;

All of which originated in the Senate.

February 15th, 1848.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

Mr. President:

The committee on enrolled bills have examined and compared bills of the Senate Nos. 193, 177, 149, 267, 157, 262, 268, 266, 160, 159, 156, 150, 246, 157, 308, 78, and 264 with the engrossed bills, and find them correctly enrolled.

The following message was received from the House, by Mr. Ward their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate without amendment:

No. 324. An act granting certain powers to the probate court of Dearborn county.

On motion by Mr. Osborn,

The vote taken on the passage of Senate bill No. 20 was reconsidered.

Mr. Osborn moved to strike out 500 and insert 350 copies,

With the following proviso by Mr. Holloway: "Provided, the cost shall not exceed five dollars per copy."

Which was agreed to.

On motion by Mr. Morrison,

The bill was laid on the table.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have compared bills of the Senate Nos. 214 and 215 with the engrossed, and find them correctly enrolled.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor, for his approval and signature, bills of the House Nos. 445, 491, 415, 470, 43, and 234.

The following report was submitted by the committee of free conference, appointed on the part of the Senate to adjust the difference between the two Houses relative to adjourning *sine die:*

MR. PRESIDENT:

The committee of free conference, on the part of both Houses, appointed to take into consideration the disagreement between the two Houses in relation to the resolution of adjournment, have had the same under consideration, and instructed me to report that said committee have agreed to fix the time when this Legislature shall adjourn *sine die* on Thursday, the 17th instant, in which said committee respectfully ask the concurrence of the Senate, and said committee ask to be discharged from the further consideration of the subject.

Which report was concurred in by the Senate, and the committee discharged.

Message from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am instructed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate with sundry amendments:

No. 234. An act to amend an act entitled "An act to incorporate the White Water Valley Canal Company," approved January 20, 1842;

In which amendments of the House the concurrence of the Senate is respectfully requested.

Mr. Simpson moved that the Senate do not concur in the engrossed amendments of the House to bill of the Senate No. 234;

Which was agreed to.

Mr. Morrison, chairman of the committee on finance, submitted the following report:

MR. PRESIDENT:

The committee on finance, to whom was referred bill of the House No. 524, entitled "An act to curtail the expenses of the State," have, according to order, had the same under consideration, and directed me to report the bill back to the Senate and respectfully recommend its indefinite postponement.

Which report was concurred in by the Senate, and the bill indefinitely postponed.

Mr. Osborn submitted the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary, to which was referred Senate bill No. 254, entitled "A bill amendatory to the laws in regard to writs of *ad quod damnum*," have had the same under consideration, and instructed me to report it back to the Senate and recommend its passage.

The rules suspended, the bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

The following report was submitted from the committee on enrolled bills:

MR. PRESIDENT:

Mr. Coats, from the committee on enrolled bill, now reports, that he did, on the 14th inst., present to his Excellency the Governor for his approval and signature a bill to revive and amend an act entitled an act to incorporate the Crawfordsville, Covington, and Illinois Railroad company, approved Jan. 5, 1836.

MR. PRESIDENT:

Mr. Beard, from the committee on enrolled bills, reports, that he did, on the 14th inst., present to his Excellency the Governor, for his approval and signature, bill of the Senate No. 264, to incorporate the Lyceum of Wabash college.

Message from the House of Representatives by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the House will, the Senate concurring therein, proceed on to-morrow morning at half past 9 o'clock by joint ballot of the two Houses to elect one commissioner for the Indiana hospital for the Insane;

In which the concurrence of the Senate is respectfully requested.

On motion by Mr. Cornett,

The resolution was laid on the table.

Mr. Cornett, chairman of the committee on benevolent institutions, submitted the following report:

MR. PRESIDENT:

The committee on the Benevolent Institutions of the State, to whom was referred joint resolution of the Senate No. 336, entitled "a joint resolution relative to the Insane Hospital," have had the same under consideration, and owing to the late period of the session, it is impossible to inquire properly into the propriety of the legislation contemplated by said resolution, and inasmuch as a law has been enacted at the present session of the legislature, providing for the election of commissioners by the General Asssembly, the committee have directed me to report said joint resolution back to the Senate and recommend that it be laid on the table;

Which report was concurred in by the Senate.

The bill laid on the table.

Leave being granted,

Mr. Osborn presented

No. 340. A bill to authorize the Treasurer of State to draw the State's dividend in the Madison and Indianapolis Railroad, and for other purposes;

Which was read the first time, the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Davis submitted the following report from a select committee:

MR. PRESIDENT:

The select committee, to which was referred House bill No. 375, "for the benefit of Michael Riley," have had the same under consideration and have instructed me to report said bill back to the Senate and recommend its passage.

The rules were suspended, the bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

On motion,

Leave of absence was granted to Senators Hamrick, Robinson, Osborn, and Waters for the remainder of the session.

Mr. Hardin submitted the following report from the committee on the affairs of the town of Indianapolis:

MR. PRESIDENT:

The committee on the affairs of the town of Indianapolis, to whom was referred a bill of the House No. 222, "an act to authorize the sale of certain lots in Indianapolis," having had the same under consideration, have directed me to report the same to the Senate and recommend that it be laid on the table;

Which report was concurred in by the Senate.

The bill laid on the table.

The following message was received from his Excellency the Governor, by Mr. James M. Sleeth, his private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he did approve and sign the following bills, to-wit:

No. 276. An act to amend an act therein named;

No. 98. An act for the relief of the heirs of John Widney;

No. 147. An act to change the name of Granville in Tippecanoe county;

No. 288. An act to correct a mistake in the commission of justices of the peace in Hanover township, in Shelby county;

No. 115. A joint resolution on the subject of locating land warrants;

No. 214. An act to incorporate the Moorsville branch Railroad company;

All of which originated in the Senate.

February 15, 1848.

The following message was received from the House of Representatives by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the Senate:

No. 193. An act allowing the auditor of Grant county one-half

of one per cent. on all school funds in the hands of the school commissioner and county auditor;

No. 214. An act to incorporate the Mooresville branch Railroad company;

No. 215. An act in relation to the dam and water power on the Central Canal, in Morgan county;

No. 308. An act amendatory of an act entitled "an act to incorporate the Rushville and Lawrenceburg Railroad company;

No. 157. An act to amend the 2d article of the 30th chapter of the Revised Statutes of A. D. 1843, concerning the probate of wills and testaments;

No. 78. An act regulating the width of roads and highways in the counties of Vanderburgh and Posey;

No. 246. An act to locate a State road in the counties of Adams, Allen, and Jay;

No. 159. An act for the relief of Joseph E. Moore;

No. 60. A joint resolution relative to a marsh and wet tract of land in the counties of Jay and Adams;

No. 150. An act to incorporate the Tippecanoe Guards in Tippecanoe county;

No. 156. An act to change the time of holding the probate court in Franklin county;

No. 177. An act to amend the "act to provide for the continuation of the Madison and Indianapolis Railroad to Lafayette," approved January 19, 1846;

No. 149. An act for the relief of the members of the Wabash Fire company in Lafayette;

No. 267. An act to authorize the sale of school section belonging to congressional township 21, Range 5 West, in Tippecanoe county;

No. 157. An act to provide for summoning grand and petit jurors in Johnson county;

No. 262. An act for the relief of A. Bird;

No. 268. An act authorizing the sale of the old Indiana State Prison;

No. 266. An act for the relief of Margaret Wade;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bills, and they were delivered to the committee on enrolled bills to present to his Excellency the Governor for his approval and signature.

Message from the House by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the House:

No. 145. An act for the relief of the tax-payers in this State;

No. 196. An act to authorize a company to construct the Aurora and Laughery Turnpike;

No. 179. An act to authorize a company to construct a Turnpike road from Moorshill to Aurora in Dearborn county;

Which I am directed by the House of Representatives to bring to the Senate for the signature of the President of the Senate.

Whereupon the President affixed his signature to said enrolled bills, and they were delivered to the committee on enrolled bills, to present to his Excellency the Governor, for his approval and signature.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have compared bill of the Senate No. 39, "an act to incorporate the Indianapolis and Bellfountaine Railroad Company," with the engrossed, and find it correctly enrolled.

A message from the House, by Mr. Ward their clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills, without amendment:

No. 75. An act to amend "an act to provide for the election of prosecuting attorneys by the people in the several counties," approved Junuary 27, 1847;

No. 95. An act declaratory of the meaning of 30th section of chapter 37 of the Revised Statutes of 1843;

No. 163. An act to amend an act entitled "an act to authorize the superintendent of the Wabash and Erie canal to pay such equitable claims as counties and individuals may have for surveying and locating the canal from Tippecanoe to Terre Haute," approved January 25, A. D. 1847;

No. 244. An act prescribing the manner of assessing and paying taxes due upon the stock of individuals in the Madison and Indianapolis Railroad Company;

No. 328. An act to repeal an act entitled "an act to improve the navigation of Lost River so far as relates to Martin county;"

The following message was received from the House, by Mr. Ward their clerk:

MR. PRESIDENT:

The Speaker of the House has signed the following enrolled bill of the House:

No. 425. An act amendatory to an act establishing a free turnpike road in the counties of Allen, Whitney, Kosciusko, and Marshall;

Which I am directed to bring to the Senate for the signature of the President.

Whereupon the President affixed his signature to said enrolled bill, and it was delivered to the committee on enrolled bills, to present to his Excellency the Governor, for his approval and signature.

The following message was received from the House, by Mr. Ward their clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the report of the committee of free conference, fixing the time for the adjournment *sine die* of the present General Assembly, on Thursday the 17th instant.

Which was concurred in by the Senate.

A message from the House of Representatives, by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate, without amendment.

No. 312. An act to establish a certain State road therein named.

The following message was received from the House by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bill of the Senate:

No. 39. An act to incorporate the Indianapolis and Bellfountaine Railroad Company;

Which I am directed to bring to the Senate for the signature of the President thereof.

Thereupon the President affixed his signature to said bill, and it was delivered to the committee on enrolled bills to present to his Excellency the Governor for his approval and signature.

Mr. Hardin submitted the following report from the committee on enrolled bills:

MR. PRESIDENT:

The joint committee on enrolled bills now report that they have compared the enrolled with the engrossed bill of the Senate No. 211, an act to revise and amend an act entitled "an act to incorporate the Crawfordsville and Wabash Railroad Company," and find the same truly enrolled.

Mr. Berry submitted the following report from the committee on enrolled bills:

MR. PRESIDENT:

The committee on enrolled bills have compared the following engrossed with the enrolled bills of the Senate, Nos. 253, 285, 230, and find them to be correctly enrolled.

The following message was received from the House of Representatives by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 505. An act making specific appropriations for the year 1848;

No. 481. An act making general appropriations for the year 1848;

In which the concurrence of the Senate is respectfully requested.

No. 481. Contained in the message;

Was read the first time, the rules were suspended, the bill read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

No. 505, contained in the message,

Was read the first time.

The rules being suspended, the bill was read a second time.

On motion by Mr. Handy,

The fifth section was stricken out.

Mr. Handy moved to strike out 'three dollars' wherever it occurs in the tenth section, and insert 'two dollars;'

Which was not agreed to.
Mr. Handy moved to strike out the 12th section;
Which was agreed to.
Mr. Osborn moved to amend the twenty-first section as follows:

Strike out '$3 00 per day' and insert '$1 50 per day.'

And in the same section add the names of Charles Warner and Michael Lenergan;
Which amendment was adopted.
Mr. English moved to amend as follows:

Sec. —. That John R. Stone be allowed the sum of three dollars per day for three days' services as assistant door-keeper of the Senate at the commencement of the present session of the General Assembly of the State of Indiana.

Adopted.
Mr. Holloway moved to amend as follows:

That Wm. Youse, the sergeant-at-arms, and the secretaries and assistant secretaries, and the door-keers, not residing at Indianapolis, be allowed the sum of fifteen dollars for travelling expenses in returning to and from the capital during the recess.

Adopted.
Mr. Beard moved to strike out the twenty-fifth section;
Which was adopted.
On motion,
Section twenty-nine was striken out.
Mr. Handy moved to strike out section thirty-six;
Which was adopted.
Mr. Handy moved to strike out section thirty-seven;
Which was adopted.
Mr. Holloway moved to amend by adding the following section:

Sec. —. That William Youse be allowed the sum of three dollars per day for each day he may have served as sergeant-at-arms of the Senate during the present session of the legislature, to be certified by the President of the Senate.

Also James M. Sleeth be allowed three dollars per day for acting as private secretary to the Governor.

Which was adopted.
On motion,
Section forty-five was amended by striking out 'three' and inserting 'four dollars.'
On motion,
The forty-eighth section was stricken out.
Mr. Handy moved to strike out the forty-ninth section;
Upon which,
The ayes and noes were demanded by two Senators.

Those who voted in the affirmative are,

Messrs. Berry, Day, Goodnow, Hamrick, Hardin, Henry, Houghton, Huffstetter, Malott, Miller, Milligan, Morrison, Randall, Stewart, —15.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Chenowith, Coats, Conduit, Davis, Holloway, Howel, Montgomery, Osborn, Robinson, Simpson, Taber, Winchell, Zenor—15.

No quorum having voted the section was not stricken out.
Leave being granted,
Mr. Winchell introduced
No. 341. A bill supplementary to an act entitled an act to incorporate the Indianapolis and Belfountaine Rail Road Company;
Which was read the first time.
The rules being suspended, the bill was read a second and third times, and passed.

Ordered, That the Secretary inform the House thereof.

The Senate adjourned.

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2 *o'clock, P. M.*

The Senate assembled.

The question, on adjournment, being on striking out section forty nine,
It was so ordered.
On motion by Mr. Handy,
Section fifty-three was stricken out.
Mr. Hamrick moved to strike out the fifty-fourth section;
Which was adopted.
Mr. Henry moved to strike out the fifty-sixth section;
Which was adopted.
Mr. Beard moved to strike out the fifty-seventh section;
Which was adopted.
Mr. Robinson moved to strike out the fifty-eighth section;
Which was adopted.
On motion,
Section 59 was stricken out.

Mr. Stewart moved to amend as follows:

"SEC. —. That John Bishop be allowed the sum of twenty-eight dollars and sixty-two cents for grading and graveling the streets around the Governor's house."

Mr. Morrison offered the following amendment to the amendment:

"That there be appropriated the sum of one hundred and fifty dollars for a private secretary, to be appointed by the Governor, to perform clerical duties throughout the year."

On motion by Mr. Handy,

The amendments were laid on the table.

Mr. Robinson offered the following amendment:

"That S. V. B. Noel & Co. be allowed the sum of thirty dollars and thirty-one cents for candles and other articles furnished for the use of the Senate at the present session;

"That Weaver & Williams be allowed the sum of eighteen dollars and twenty-five cents for carpenter's work done for the use of the Senate during the present session;

"That Kellogg & Davidson be allowed two dollars and eighty cents for articles furnished for the use of the Senate during the present session;

"That W. B. Preston & Co. be allowed one dollar and fifty cents for articles furnished for the use of the Senate at the present session;

"That J. Roe & Co. be allowed two dollars and fifty cents for tape furnished for the use of the Senate at the present session;

"That David Craighead be allowed two dollars and sixty-two cents for articles furnished for the use of the Senate at the present session;

"That Edward Outland be allowed twenty dollars for services rendered the General Assembly at the present session."

Which was adopted.

Mr. Henry offered the following amendment:

"SEC. —. That the officers of the Senate and House of Representatives shall not be allowed or paid for services during the recess of the Legislature at its adjournment at the present session."

Which was adopted.

Mr. Cassatt offered the following amendment:

"SEC. —. That the sum of sixteen dollars be allowed to Stearns Fisher for services as clerk to Bazil Brown in estimating damages on the Central canal, under a resolution of the House of Representatives."

Which was not adopted.

Mr. Osborn offered the following amendment to section 4:

Strike out "$15 00" and insert "4 per day."

Which was not adopted.

Mr. Stewart offered the following amendment:

"SEC. —. That Jacob Miller be allowed the sum of fifty dollars for services rendered as woodman during the years 1846 and '47."

Which was not adopted.

Mr. Stewart offered the following amendment:

"SEC. —. That the legal representatives of T. B. Kinder, deceased, be allowed the sum of one hundred and fifty dollars for services rendered as private secretary to the Governor during the years 1843 and '44; and the said legal representatives are hereby requested to use this money for the purpose of erecting a tombstone to the memory of the lamented Kinder."

Which was adopted.

Mr. Morrison offered the following amendment:

Amend section 13 by adding, "which duties of filling up said commissions were performed by General Reynolds."

Which was not adopted.

The bill was then read a third time, and

The ayes and noes were demanded by two Senators on the passage of the bill:

Those who voted in the affirmative are,

Messrs. Beard, Berry, Chenowith, Coats, Day, Davis, English, Green, Hamrick, Holloway, Houghton, Hubbard, Murray, Randall, Robinson, Simpson, Verbrike, and Zenor—18.

Those who voted in the negative are,

Messrs. Cassatt, Conduit, Cornett, Goodnow, Handy, Hardin, Henry, Howel, Huffstetter, Malott, Montgomery, Morrison, Osborn, Read, Stewart, Taber, and Waters—17.

The bill passed.

Ordered, That the Secretary inform the House thereof.

No. 440. An act (of the House) amendatory of an act to incorporate the town of Greenfield in Handcock county, approved January 28, 1837;

The bill read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committe on enrolled bills have compared enrolled bills of the Senate Nos. 219, 198, 179, 169, 166, 307, and 257, with the engrossed, and find them correctly enrolled.

Mr. Miller submitted the following report from the committee on canals and internal improvements:

MR. PRESIDENT:

The committee on canals, &c. to whom was referred the petition of Robert Cox, on behalf of the infant children of the late Enoch Cox, the committee find that in the year 1835 that Jeremiah Cox, now deceased, was the owner in *fee simple* of the following described tracts of land situate between the Wabash and Salamonia river, and at the junction of the last named river, which lands are known and distinguished as the north part of the northwest quarter of section (No. 2.) No. *two* in township No. 27, in range 7, containing 67·87 acres, and the southwest fractional quarter of section 35, township 28, range 7, containing 202·15 acres, also fractional section 34, township 28, range 7, all of which land is situate in Wabash county.

Your committee find that Jeremiah Cox, the proprietor of said land, died in the year aforesaid intestate, leaving many children and heirs entitled to inherit said estate, among others Enoch Cox his son, and the said Enoch being married and having the following named children, who were still infants under the age of 21, to-wit: Joel, Catharine, Robert and William Cox, who are still minors, and the committee are further informed, that a short time after the death of the original proprietor, the said Enoch died intestate, leaving the last mentioned children his heirs.

It appears to the satisfaction of your committee, that the State of Indiana through its authorized agents in the year 1836, entered upon portions of the aforesaid lands, took from the same large quantities of valuable timber, and appropriated the same in the construction of the locks on the canal at Lagro, for which no compensation was made to said petitioners, or to any other persons for their use, that the timber so converted was reported to your committee to be of the value of $200, and it is further shown, that in constructing said canal large damages resulted to said dam by back water on the same, and distroying a valuable mill privilege which might have been improved and rendered valuable, had not said canal been constructed. The committee report that the State has never indemnified or otherwise satisfied the proprietors of said land for the timber so taken, and the damages resulting to said land by the overflowing of the same.

We are satisfied that damages resulted to the heirs of said Enoch Cox, but are of the opinion that the same should be ascertained by the trustees of the Wabash and Erie canal, and paid out of the means belonging to said canal. No objection should be made from the fact that the parties have never presented the claim until the present, from the facts that they are still infants.

Which report was concurred in by the Senate.

The following message was received from the House of Representatives by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed engrossed bills thereof, as follows:

No. 362. An act act authorizing additional places of holding elections in Hamilton township in Jackson county;

No. 435. An act to repeal section 88 of chapter 13 of the Revised Statutes of 1843, and defining the duties of county auditors in loaning county seminary funds;

No. 451. An act to authorize A. & A. J. Hetton to raise their mill dam;

In which the concurrence of the Senate is respectfully requested.

Nos. 362, 451. Contained in the message;

Were severally read the first time, the rules suspended, the bills read a third time and passed.

Ordered, That the Secretary inform the House thereof.

No. 435. Contained in the message;

Was read a first time, the rules suspended, the bill read a second time, and referred to the committee on finance.

Mr. Henry submitted the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary to whom was referred bill of the House No. 191, entitled "an act for the purposes therein named," have had the same under consideration, and have directed me to report the same back to the Senate, and respectfully recommend that it be indefinitely postponed.

Which report was concurred in by the Senate.

The bill indefinitely postponed.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill of the Senate, with one amendment:

No. 87. An act changing the time of holding courts in the county of Knox;

In which amendment of the House the concurrence of the Senate is respectfully requested.

The question being on concurring in the engrossed amendment of the House to bill No. 87.

It was agreed to.

Message from the House by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills thereof:

No. 201. An act to provide for taking the sense of the qualified voters of the State of Indiana, on calling a convention to alter, revise, or amend the constitution of this State;

No. 276. An act to amend the 5th and 6th sections of the first article of the 55th chapter of the Revised Statutes of 1843, regulating the jurisdiction of justices of the peace in criminal cases;

No. 287. An act to amend article eleven of chapter 30, of the Revised Statutes of 1843;

In which the concurrence of the Senate is respectfully requested.

No. 276 and 287. Contained in the message,

Were read the first time.

The rules were suspended, the bills read a second time and referred to the judiciary committee.

No. 201. Contained in the message,

Was read the first time.

The question being on suspending the rules, and reading the bill a second time;

It was not agreed to.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the report of the committee of free conference on engrossed bill of the House;

No. 87. An act fixing the time of holding circuit courts in the county of Marion, and for other purposes.

Said committee having reported as follows:

Strike out the first section of the bill and insert the following section in lieu thereof:

SEC. 1. *Be it enacted by the General assembly of the State of Indiana:* That hereafter the Marion circuit court shall hold three terms in each year; the first term to commence on the first Monday in June; the second term on the first Monday in October; and the third term on the first Monday in February in each year, each term shall continue four weeks if the business thereof shall require it.

Which was concurred in by the Senate.

Mr. Osborn submitted the following report from the judiciary committe:

MR. PRESIDENT:

The judiciary committee to whom was referred House bill No. 276, have had the same under consideration, and instructd me to report it back to the Senate, and recommend its indefinite postponement.

Which was concurred in by the Senate, and the bill indefinitely postponed.

The following message was received from his Excellency the Governor, by Mr. James M. Sleeth his Private Secretary:

To the Senate:

GENTLEMEN:—Bills entitled "an act to incorporate the Demosthenian literary society of Franklin college" and "an act to incorporate the lyceum of Wabash college," are herewith returned to the Senate in which they originated, with the objections which have constrained me to withhold from them my signature.

The objects of these bills, is a highly laudable one, but ample provision is already made by the act of last session, to authorize voluntary associations, (General Laws, p. 97.) to accomplish that object more speedily, and at less expense to the public, and at the same time diminishing somewhat the fearful and growing amount of mere special legislation. Under the general law referred to, far more liberal charters may be obtained, than are afforded by the present bills, with the privilege too, secured to the members of the associations of altering or amending the same at pleasure.

JAMES WHITCOMB.

February 15, 1848.

Which,

On motion by Mr. Hardin,

Was laid on the table.

Mr. Malott submitted the following report from the committee on finance:

MR. PRESIDENT:

The committee on finance to whom was referred bill of the House No. 435, entitled, "an act to repeal section 88 of chapter 13 of the Revised Statutes of 1843, and defining the duties of county auditors in loaning county seminary funds," have had the same under consideration, and instructed me to report the same back to the Senate and recommend that it be laid upon the table, and respectfully ask to be discharged from the further consideration thereof;

Which report was concurred in by the Senate.

Mr. Osborn submitted the following report from the judiciary committee:

MR. PRESIDENT:

The committee on the judiciary to which was referred bill of the House No. 287, have had the same under consideratien, and have instructed me to report it back, and recommend its indefinite postponement;

Which report was concurred in by the Senate, and the bill indefinitely postponed.

Message from the House by Mr. Ward their clerk:

MR. PRESIDENT:

The House of Representatives has instructed me to report to the Senate, that the House has passed bill of the House,

No. 473. An act to incorporate the grand lodge of the Oriental Evanic Order of Brethren;

In which the concurrence of the Senate is respectfully requested.

No. 473. Contained in the message,

Was read the first time.

The rules were suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Message from the House by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill thereof:

No. 494. An act amendatory of the law relating to the practice in chancery;

In which the concurrence of the Senate is respectfully requested.

No. 494. Contained in the message,

Was read the first time.

The rules were suspended, the bill read a second time;

Mr. Osborn meved to amend the 1st section, by inserting "so far as the same may be applicable."

Which was adopted.

The bill read a third time, and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Hardin, chairman of the committee on enrolled bills submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor for his approval and signature, bills of the Senate Nos. 214, 193, 215, 308, 157, 78, 246, 157, 160, 150, 156, 177, 149, 267, 157, 266, 268, 262, and 230.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have compared enrolled bills of the Senate Nos. 192, 168, 305, 195, 273, 292, 162, 269, 261, 230, 274, 174, 172, 188, 202, 255, 256, 265, 324, 252, 241, 260, 281, 218, 237, 236, 176, 233, 181, 301, 180, 220, 319, 154, 175, 151, 221, 244, 280, 258, 239, 245, 275, 289, 284, 203, with the engrossed, and find them correctly enrolled.

Leave being granted,

Mr. Davis introduced

No. 342. An act to repeal a part of an act therein named;

Was read the first time, the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill:

No. 510. An act to provide compensation for the Auditor and Treasurer for managing the trust funds;

In which the concurrence of the Senate is respectfully requested.

No. 510, contained in the message,

Was read the first time, the rules suspended, the bill read a second time, and referred to the committee on finance.

Leave being granted,

Mr. Beard introduced

No. 344. An act supplementary te an act incorporating the Indianapolis and Bellfountaine Railroad Company;

Which was read the first time, the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

Mr. Henry, chairman of the committee on education, submitted the following report:

MR. PRESIDENT:

The committee on education, to whom was referred the petition of Rufus H. Felton and others, and also the petition of S. Henderson and others, have had the same under consideration, and directed me to report the same back to the Senate and recommend that it is inexpedient to legislate upon the subject.

Which report was concurred in by the Senate.

Mr. Henry, chairman of the committee on education, submitted the following report:

MR. PRESIDENT:

The committee on education, to whom was referred the petition of James M. Kuthley, have had the same under consideration, and directed me to report the same back to the Senate and recommend that it be laid on the table.

Which report was concurred in, and the bill laid on the table.

Mr. Henry, chairman of the committee on education, submitted the following report:

MR. PRESIDENT:

The committee on education to whom was referred the petition of Mills Averill, have had the same under consideration, and directed me to report the same back to the Senate and recommend that it be laid upon the table.

Which was concurred in, and the bill laid on the table.

Mr. Henry, chairman of the committee on education, submitted the following report:

MR. PRESIDENT:

The committee on education, to whom was referred the proceedings of the Common School Convention, have had the same under consideration, and directed me to report the same back to the Senate for their action thereon.

Which,
On motion,
Was laid on the table.

The following message was received from His Excellency, the Governor, by Mr. James M. Sleeth, his Private Secretary:

To the Senate:

GENTLEMEN—I herewith return to your body a bill entitled "An act authorizing the establishment of additional branches of the State Bank of Indiana," which originated in the Senate.

The bill authorises the establishment of four new branches of the State Bank, to be subscribed on the part of the State and on the part of individuals. It has been my anxious endeavor to collect all the statistical facts and other information bearing upon the question since the bill was first presented to me—having had no previous knowledge that such a bill was pending. The unusual number of bills thrust upon my attention during the intervening time, caused by the close of the session, has put it beyond my power to procure the desired information, and in view of the gravity of the question, and the little time left for deliberation, I have felt it my duty to withhold my approval, and again refer the question to the Legislature. It is better, in my judgment, that the question be postponed until the greater leisure afforded by another session, will give an ampler opportunity for that mature deliberation which such a question should receive.

JAMES WHITCOMB.

February 15th, 1848.

Leave being granted,
Mr. Howel presented a petition relative to the license law;
Which, on motion of Mr. Howel,
Was laid on the table.

Mr. Morrison submitted the following report from the committe on finance:

MR. PRESIDENT:

The committen on finance to whom was referred bill of the House No. 510, entitled "a bill in relation to the trust funds," have, according to order, had the subject under consideration, and directed me to report the same back to the Senate, and recommend that the bill be laid on the table;

Which report was concurred in by the Senate.

Mr. Hardin, chairman of the committee on enrolled bills, submitted the following report;

MR. PRESIDENT:

The committee on enrolled bills have compared bills of the Senate

Nos. 296, 311, 295, 248, 251, 224, 95, 75, 163, and 328, with the engrossed, and find them correctly enrolled.

The following message was received from the House, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representative to inform the Senate that the Speaker of the House has signed the following enrolled acts of the House:

No. 27. An act authorizing the re-valuation of lands in Monroe and Irvin townships, in Howard county;

No. 227. An act extending the time for supervisors to work their roads in Spencer county;

No. 212. An act authorizing Albert A. Siddall to sell certain stone in Madison county;

No. 207. An act repealing as much of section 233, of chapter 30 of the Revised Statutes of 1843, as requires the probate court to set the time of sales of real estate by executors and administrators;

No. 179. An act to authorize Peter Wise and others to build a mill dam across White river, in Hamilton county;

No. 257. An act to incorporate the Celebration Spring Steam Mill company in Franklin county;

No. 40. An act to encourage the growth of cranberries in the county of Allen, and for the protection of cranberry marshes;

No. 495. An act making the education of the blind in Indiana free;

No. 367. An act to raise a revenue for State purposes for the year 1848;

No. 450. An act amendatory of the charter of the city of Indianapolis;

No. 176. An act in relation to roads in De Kalb county;

No. 185. An act to form a new school district from school districts No. 1 and No. 4, in congressional township No. 2 North, of Range 2 East;

No. 370. An act for the benefit of widows;

No. 193. An act to authorize the Auditor of Hendricks county to sell certain lands;

No. 316. An act amending section 453, chapter 30, of the Revised Statutes of 1843, and for other purposes;

No. 392. An act to change a certain State road therein named;

No. 408. An act levying a street tax on the inhabitants of the town of Marion and its additions;

No. 37. An act to incorporate the Connersville Hotel company;

No. 427. An act for the relief of William A. Richardson and others;

No. 426. An act for the incorporation of the York Guards;

No. 420. An act to repeal an act entitled "an act to provide for a uniform mode of doing township business in Clay county;

No. 413. An act for the purpose therein named;

No. 411. An act authorizing supervisors to work a certain road in Ohio county;

No. 412. An act to improve the breed of horses in the county of Miami;

No. 391. An act to authorize Avery Allen, of Posey county, to make a deed in a certain case to certain land in said county;

No. 385. An act to better enable the citizens of congressional township No. 20 N., of Range No. 5 E., in the county of Hamilton, to sell school lands;

No. 230. An act to authorize the county Auditor and Treasurer of Sullivan county to make set offs in certain cases;

No. 395. An act to repeal "an act fixing the salary of the auditor of Miami county," approved January 27, 1847;

No. 188. An act to provide for the establishment of a horse-boat ferry across the Wabash river at the town of Williamsport;

No. 202. An act to confirm a certain deed to the Methodist Episcopal church of Carlisle, Sullivan county;

No. 208. An act to extend the time of holding the commissioners' court in Boon county;

No. 396. An act to vacate a portion of a certain street therein named;

No. 394. An act to establish a State road in the county of Hancock, and to vacate that part of the State road from Charlottesville, in Hancock county, to where it intersects the Knightstown and Pendleton road, and also to change the location of that part of the State road leading from Charlottesville to Nashville, viz: So much thereof as from Charlottesville to the mouth of the lane on the farm of James Barthon, late deceased, so that the same may run from the East end of Charlottesville to the mouth of said lane;

No. 178. An act to authorize the sale of a certain town lot therein named;

No. 364. An act to vacate the town of Florentine in Tippecanoe county, Indiana;

No. 397. An act to vacate a part of Union street, in the town of Decatur, in the county of Adams;

No. 460. An act to authorize certain voters of Daviess county to vote in Washington township, in said county;

No. 449. An act making provision for the payment of the witnesses who attended before the select committee of the House of Representatives, in relation to the charge preferred by James Galletly and others against the branch of the State Bank at Terre Haute;

No. 393. An act to repeal a part of an act entitled "an act to change the time of holding the Probate court in Riply county;

No. 291. An act to authorize the voters of congressional townships therein named to sell their school lands;

No. 215. An act to amend an act entitled "an act to incorporate the Covington draw-bridge company," approved January 26, 1847;

No. 263. An act to amend the charter of the Indiana Medical College;

No. 493. A joint resolution accepting the colors of the 3d Regiment of Indiana Volunteers;

No. 486. An act to locate a State road in Clay and Parke counties;

No. 496. An act making the education of deaf and dumb persons in Indiana free.

No. 441. A joint resolution in relation to a mail route from Bellville, in Hendricks county, to Lebanon in Boone county, Indiana;

No. 446. An act to amend the 25th section of article 2 of chapter 25 Revised Statutes of 1843;

No. 448. A joint resolution on the subject of a mail route;

No. 482. An act to authorize the commissioners of Vigo county to procure a seal for the probate court;

No. 485. An act to repeal a part of the 90th section, 3d article of the 16th chapter of the Revised Statutes of 1843, so far as the same relates to Shelby county;

No. 483. An act to revive an act for the location of a state road in the counties of Dubois and Martin;

No. 436. An act changing the name of the town of Alton, in Crawford county;

No. 421. An act to incorporate the Canton Iron Manufacturing company;

No. 431. An act for the relief of Eleanor Leas;

No. 432. An act to vacate an alley in the town of Greencastle;

No. 430. An act to change the name of Andersontown to that of Anderson;

No. 47. An act to provide for electing supervisors by districts in the county of Miami;

No. 156. An act to repeal "an act providing for the election of supervisors of highways in the counties of Decatur, Jefferson, and Spencer," approved Dec. 26, 1844;

No. 502. An act to vacate a State road in the counties of Delaware, Madison, and Grant;

No. 169. An act to incorporate "the Jasper county Iroquois Navigation and Manufacturing company;"

No. 434. An act regulating the width of roads in Marion county;

No. 500. An act to give additional copies of the Revised Statutes of 1843 to Randolph county;

No. 457. An act giving further time to the widow of David Browning, deceased, and to the creditors of the estate of said decedent to file claims against said estate;

No. 418. An act making additional allowances to the Secretary of State;

No. 479. An act to authorize the building of a sewer in Vigo county;

No. 429. An act declaring certain acts therein named in full force;

No. 499. An act to revive an act to incorporate Belleville, in Hancock county;

No. 498. An act to change the location of a State road therein named;

No. 224. An act authorizing the boards doing county business to continue in session ten days at their March and June session in certain counties therein named;

No. 490. An act to change a part of a State road in Delaware county;

No. 81. An act to regulate agencies of foreign insurance companies;

No. 504. An act to define the width of roads in Clinton county;

No. 127. An act to incorporate the Princeton Female Acadamy;

No. 351. An act to encourage the organization of fire companies;

No. 492. A joint resolution of thanks to Ethamin A. Moberly;

No. 381. An act to incorporate the town of Washington, Wayne county, Indiana;

No. 378. An act to establish a state road on a part of the county line dividing the counties of Wayne and Randolph;

No. 476. An act to amend an act granting the citizens of Lawrenceburgh a city charter, and for revising and repealing all laws and parts of laws heretofore enacted on that subject, approved January 20, 1846;

No. 355. An act authorizing the board of commissioners of Elkhart county to direct the sale of certain school lands;

No. 374. An act relative to high waters in Jackson county;

No. 461. An act to incorporate the Henry county Turnpike Company;

No. 477. An act for the relief of Abraham Perkins late collector of Daviess county;

No. 383. An act to incorporate the town of Eagle Village, in Boone county;

No. 315. An act to incorporate the Peru, Rochester, Plymouth, and South Bend Railroad Company;

No. 433. An act for the government of the Indiana Hospital for the Insane;

No. 382. An act to incorporate the English and German Evangelical Lutheran St. Paul's Church, in the county of Dearborn;

No. 379. An act making the side cut constructed by the Delphi Storage and forwarding company, at Delphi, a part of the Wabash and Erie Canal;

No. 459. An act to incorporate the Peru and Wabash Free Bridge Company;

No. 349. An act to change a state road in the counties of Huntington and Wells;

No. 354. An act changing the name of William Jackson to that of William Jackson Morgan;

No. 468. An act to extend the provisions of an act therein named to the county of Wells;

No. 469. A joint resolution in relation to the Education Society of Indiana;

No. 471. An act to locate a state road in Fountain county;

No. 463. An act to confirm to May Williams the sales of lots in Pittsburgh;

No. 506. A joint resolution in relation to the claims of the State of Indiana upon the United States for expenses incurred in raising troops for the Mexican war, upon the requisitions of the Secreta y of War;

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bills, and they were delivered to the committee on enrolled bills to present to his Excellency the Governor for his approval, and signature.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the Senate:

No. 211. An act to revive and amend an act entitled "An act to incorporate the Crawfordsville and Wabash Railroad company," approved Jan. 19, 1846;

No. 166. An act to incorporate the Union Literary Institute;

No. 203. An act to incorporate the Richmond and Hagerstown Turnpike company;

No. 284. An act to change the name of the town of Springfield, in Wabash county;

No. 275. An act extending the provisions of section 16 of the Revised Statutes of 1843 to the county of Lagrange;

No. 245. An act relative to the collection of taxes in Bartholomew county;

No. 289. An act to authorize the board of commissioners of Allen county to sell certain real estate therein specified;

No. 257. An act to regulate the practice of law in the Lagrange circuit court;

No. 219. An act to authorize the improvement of Tanner's creek, in Dearborn county;

No. 198. An act to authorize the board of county commissioners of Jay county to borrow money;

No. 79. An act to authorize the county commissioners of Tippecanoe county to pay for the erection of a bridge across the canal at Green street, in Lafayette;

No. 169. An act authorizing the commissioners of Lagrange county to increase the salary of the Probate Judge of said county;

No. 307. An act to amend an act entitled "An act to authorize the formation of voluntary associations," approved Jan. 27, 1847;

No. 239. An act concerning the distribution of the Laws and Journals in Bartholomew county;

No. 258. An act to amend an act incorporating the Brookville and Connersville Turnpike company;

No. 280. An act to authorize the construction of plank or coal roads;

No. 244. An act to extend the February term of the probate court of Bartholomew county;

No. 221. An act for the relief of widows and orphans;

No. 480. An act for the relief of certain persons therein named;

No. 151. An act to amend "an act to incorporate the city of Jeffersonville," approved Jan. 27, 1847;

No. 175. An act to incorporate the New Castle and Richmond Railroad company;

No. 233. An act to incorporate the Chamberline Mills;

No. 181. An act giving additional powers to the President and Trustees of the town of Lafayette, in Tippecanoe county;

No. 301. An act to restrict the county commissioners of Steuben county in levying a tax of fifty cents on the one hundred dollars valuation;

No. 180. An act to amend an act entitled "An act to incorporate the Lafayette Insurance company," approved Feb. 8, 1836;

No. 220. An act in relation to the law prohibiting the Indians from selling lands in this State;

No. 319. An act to amend an act entitled "An act to authorize the formation of voluntary associations," approved Jan. 27, 1847;

No. 154. An act to incorporate the Huntington, Whitley, and Kosciusko Turnpike company;

No. 176. An act to incorporate the New Castle and Knightstown Railroad company;

No. 236. An act relative to the estate of John Sims, deceased;

No. 305. An act for the relief of the sureties of William Johnson;

No. 241. An act authorizing the sale of section 16 in township 28 north, range 8 east, in Huntington county;

No. 252. An act to incorporate the Harrison township and Abington Turnpike company;

No. 261. An act to amend the charter of the Milford and Columbus Railroad company;

No. 274. An act to change a certain State road in St. Joseph county;

No. 188. An act to legalize a survey of the city of Fort Wayne;

No. 174. An act to revive an act entitled "An act to authorize the location and establishment of a State road;"

No. 202. An act to prohibit the sale of spirituous liquors in the town of Rushville;

No. 255. An act to incorporate the Cannelton Steam Mill and Manufacturing company:

No. 256. An act to incorporate the Mount Vernon and New Harmony Railroad company;

No. 265. An act to authorize the commissionersof Daviess county to employ a physician, and for other purposes;

No. 324. An act granting certain powers to the probate court of Dearborn county;

No. 260. An act to authorize Thomas Hamilton to build a mill-dam across the St. Joseph river, in Allen county;

No. 281. An act to incorporate the Wabash and Greenville Railroad company;

No. 218. An act to incorporate the Fairview Academy, in Rush county;

No. 237. An act to authorize the commissioners of Jay county to assess an additional tax;

No. 273. An act supplementary to an act entitled "An act to amend an act entitled an act for the relief of purchasers of canal lands," approved Jan. 19, 1846; approved Dec. 28, 1846;

No. 195. An act to provide for the taxing of estates in dower;

No. 168. An act to explain and amend an act for the relief of the purchasers of the Saline lands in Orange connty; approved Jan. 22, 1847;

No. 192. An act to regulate the signing bills of exceptions in the circuit courts;

No. 172. A joint resolution on the subject of reducing the price of our public lands;

No. 292. An act to locate a State road in the counties of Howard, Miami, and Wabash;

No. 162. An act to revive and amend an act entitled "An act to incorporate the Perrysville and Danville Railroad company," approved Jan. 26, 1836, and an act entitled "An act to amend an act entitled 'an act to incorporate the Perrysville and Danville Railroad company,'" approved Feb. 13, 1840;

No. 209. An act in relation to certain school lands in Floyd county;

Which I am directed to bring to the Senate for the signature of the President thereof:

Whereupon the President affixed his signature to said enrolled bills, and they were delivered to the committee on enrolled bills to present to his Excellency the Governor for his approval and signature.

The following message was received from the House, by Mr, Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the House:

No. 473. An act to incorporate the Grand Lodge of the Oriental Evanic Order of Brothers;

No. 474. An act for the relief of Lucian Barbor, John Elder, and Edwin J. Peck, commissioners appointed by joint resolution of the General Assembly, authorizing the making estimates for the completion of the new State Prison and other buildings, approved Jan. 21, 1847;

No. 465. An act to legalize the incorporation of Mount Hope Cemetery, near Peru, and for other purposes;

No. 375. An act for the benefit of Michael Riley;

No. 503. An act for the relief of Joseph I. Stretcher and Robert N. Allen, commissioners appointed by the Governor under a joint resolution of the last session of the General Assembly, providing for the removal of the remains of the late Hon. Tilghman A. Howard from the State of Texas to the State of Indiana;

No. 422. An act in relation to that portion of the northern division of the Central Canal which lies between Broad Ripple, in Marion county, and Waverly, in Morgan county;

Also that the Speaker has signed the following enrolled acts of the Senate:

No. 296. An act for the relief of replevin bail;

No. 311. A preamble and joint resolution in relation to the Flag of the second Indiana regiment;

No. 248. An act to locate a State road from Logansport, Cass county, to Winnamac, in Pulaski county;

No. 295. An act in relation to mortgages due to the Treasury fund and the Indianapolis fund;

No. 224. An act to incorporate the Fort Wayne and Goshen Turnpike company;

No. 251. An act to incorporate the Fort Wayne and Southern Railroad company;

No. 328. An act to repeal an act entitled "An act to improve the navigation of Lost river so far as relates to the county of Martin;

No. 75. An act to amend an act entitled "An act to provide for the election of prosecuting Attorneys by the people, in the several counties," approved Jan. 27, 1847;

No. 163. An act to amend an act entitled "An act to authorize the superintendent of the Wabash and Erie Canal to pay such equitable claim as counties and individuals may have for surveying and locating the canal from Tippecanoe to Terre Haute," approved Jan. 25, 1847;

No. 95. An act declaratory of the meaning of the 39th section of chapter 37 of the Revised Statutes of 1843;

All of which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bills, and they were delivered to the committee on enrolled bills to present to his Excellency the Governor for his approval and signature.

The Senate adjourned.

WEDNESDAY MORNING, FEBRUARY 16, 1847.

The Senate assembled.

Reading of the journal dispensed with.

Mr. Hubbard submttted the following report:

MR. PRESIDENT:

A majority of the select committee to which was referred bill of the House No. 454, have had it under consideration, and directed me to report the same back to the Senate and recommend its indefinite postponement.

Which was concurred in, and the bill indefinitely postponed.
On motion by Mr. English,
No. 154
Was taken up.
Read a third time and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof:

No. 328. An act to regulate the taxing of costs on appeals from justices of the peace;

No. 368. An act for the relief of infant heirs and devisees;
No. 377. An act to revise and consolidate the several acts of Assembly in relation to laying out, opening, repairing, changing, and vacating public highways, and the erection and repair of bridges, and to amend the same;

In which the concurrence of the Senate is respectfully requested.

Nos. 328 and 368, contained in the message.
Were read the first time.
The rules being suspended, the bill was read a second time, and,
On motion,
Was laid on the table.
No. 377, contained in the message;
Was read the first time.
The rules being suspended, the bill was read a second time and referred to the committee on roads.
The following message was received for the House of Representatives by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof:
No. 324. A bill in relation to the saline lands in this State;

In which the concurrence of the Senate is respectfully requested.

No. 324, contained in the message,
Was read the first time, and,
The rules were suspended, the bill read a second time and referred to the committee on the State Bank.
The following message was received from the House of Representatives by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate without amendment:

No. 329. An act relative to the counties of Carroll and Clinton;
No. 330. An act to define the time when an act therein named shall take effect and be in force;
No. 344. An act explanatory to an act to incorporate the Crawfordsville and Indianapolis Rail Road Company.

The following message was received from the House by Mr. Ward their clerk:

Mr. President:

I am directed by the House of Representatives, to inform the Senate, that the House have refused to concur in the engrossed amendments of the Senate Nos. 1, 2, 3, 6, 8, 9, 10, 12, 13, and 16, to engrossed bill of the House.

No. 505. An act making specific appropriations for the year 1848.

And that the House have concurred in the engrossed amendments of the Senate to said bill, No. 4, 5, 7, 11, 12, (A), 14, and 15, without amendment; and that the House have also concurred in the engrossed amendment of the Senate to said bill No. 17, with two amendments.

In which amendments the concurrence of the Senate is respectfully requested.

The question being "will the Senate recede from the engrossed amendments to the engrossed bill of the House No. 505?"

The ayes and noes being demanded by Senators Taber and Day

Those who voted in the affirmative are,

Messrs. Davis, English, Henry, Holloway, Howel, Simpson—6.

Those who voted in the negative are,

Messrs. Berry, Cassatt, Cornett, Day, Hardin, Howel, Houghton, James, Malott, Miller, Montgomery, Morrison, Murray, Osborn, Randall, Read, Rousseau, Stewart, Taber, Verbrike—20.

There not being a quorum of Senators present, the question remained open.

The following message was received from the House of Representatives by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate with two amendments:

No. 119. An act to extend the jurisdistion of justices of the peace in certain criminal cases;

In which amendments the concurrence of the Senate is respectfully requested.

On motion,

The Senate concurred in the engrorssed amendments of the House to bill No. 119.

No. 210. An act (of the House) to provide for taking the sense of

the qualified voters of the State of Indiana, on calling a convention to alter, revise or amend the constitution of this State;

Was read a second time and laid on the table.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bill thereof:

No. 528. An act to amend the Madison, Lexington, and Brownstown Turnpike Company;

In which the concurrence of the Senate is respectfully requested.

No. 528, contained in the foregoing message,

Was read the first time, and,

The rules being suspended, the bill was read a second and third time, and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the engrossed amendments of the Senate to the following engrossed bills of the House without amendment:

No. 494. An act amendatory of the laws relative to the practice in chancery.

No. 275. An act to repeal an act therein named.

No. 404. An act making allowances to the Adjutant and Quarter Master Generals for the year 1847.

No. 41. An act for the election of township assessors in the counties therein named.

No. 389. A joint resolution in relation to the improvement of the Iroquis river in the State of Indiana.

No. 417. An act for the benefit of the Jeffersonville and New Albany Railroad Company.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate, without amendment:

No. 318. An act explanatory of an act entitled "An act to amend an act entitled 'An act for the benefit of the volunteers for the Mexican war, and for the relief of county treasurers,'" approved January 13, 1848.

No. 316. An act to incorporate the Indiana Iron Manufacturing Company.

No. 340. An act to authorize the Treasurer of State to draw the State's dividend on her stock in the Madison and Indianapolis Railroad Company, and for other purposes.

No. 317. An act to amend an act entitled "An act for the relief of Elias Murray," approved January 27, 1847.

No. 342. An act to repeal a part of an act therein named.

On motion,

The Senate adjourned.

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2 o'clock, P. M.

The Senate assembled.

The question, on adjournment, being on receding from the amendment of the Senate to bill of the House No. 505, entitled "An act making specific appropriations for the year 1848; when

Mr. Hardin moved that the Senate insist upon their amendments generally.

Which was agreed to.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed joint resolution thereof:

No. 515. A joint resolution asking the aid of the General Government for the American Colonization Society;

In which the concurrence of the Senate is respectfully requested.

Which bill was read the first time, the rules suspended, the bill read a second and third times and passed.

Ordered, That the Secretary inform the House thereof.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

I am directed by the House of Representatives to inform the Senate that the House passed the following engrossed bill of the Senate with one amendment:

No. 323. An act in relation to the Ohio and Indianapolis Railroad Company;

In which amendments of the House the concurrence of the Senate is respectfully requested.

Which amendments were concurred in by the Senate.

The following message was received from the House of Representatives by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House insist upon their amendment to joint resolution of the Senate

No. 80. A joint resolution requesting the Governor of the State of Indiana to present a sword to Gen. Joseph Lane;

And that the House have appointed Messrs. Holden and Orton a committee of free conference on the part of the House, to act with a similar committee on the part of the Senate, relative to the disagreement of the two Houses of the General Assembly.

Which joint resolution was,

On motion,

Laid on the table.

The following message was received from the House of Representatives by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House insist upon their amendments to bill of the Senate

No. 234. An act to amend an act entitled "An act to incorporate the White Water Valley Canal Company," approved January 20, 1842;

And that the House have appointed Messrs. Meredith and Baldwin a committee of free conference on the part of the House, to act with a similar committee to be appointed by the Senate, relative to the disagreement of the two Houses of the General Assembly.

Senators Simpson and Stewart were appointed said committee of free conference on the part of the Senate.

Message from the House by Mr. Ward their Clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House insist upon their disagreement to the engrossed amendments of the Senate to engrossed Bill of the House

No. 505. An act making specific appropriations for the year 1848.

And that the House have appointed Messrs. Meredith and Bryant a committee of free conference on the part of the House, to consider of the disagreement of the two Houses, relative to said amendments, to act with a similar committee to be appointed on the part of the Senate.

Senators Morrison and Hardin were appointed said committee of free conference on the part of the Senate.

Mr. Davis made the following report from the Committee on the State Bank:

Mr. President:

The Committee on the State Bank, to which was referred Bill of the House No. 324, in relation to the Saline Lands in this State, have had the same under consideration and have directed me to report said bill back and recommend its passage.

Which Bill was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

On motion of Mr. Stewart,

Bill of the House

No. 135, An act to vacate a certain street and alley therein named,

Was taken from the table and read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Bill of the Senate,

No. 141. An act regulating the granting of license to retail spirituous liquors in the counties of Gibson and Dubois,

Was read a third time and passed.

Ordered, That the Secretary inform the House thereof.

Message from the House of Representatives by Mr. Ward their Clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate without amendment.

No. 141. An act regulating the granting of license to retail spirituous liquors in the Counties of Gibson and Dubois.

No. 254. An act amendatory to the laws in regard to writs of ad quod damnum.

And that the House have also concurred in the engrossed amendments of the Senate to engrossed bill of the House,

No. 56. An act to provide for the improvement of Common Schools.

The following message was received from the House of Representatives by Mr. Ward their clerk:

Mr. President:

I am directed to inform the Senate that the Speaker has signed the following bill which I am directed to bring to the Senate for the signature of the President, *to wit:*

No. 390. An act to vacate certain lots, alley and streets therein named in the town of New Lawrenceburgh in Dearborn county.

Whereupon the President affixed his signature to said enrolled bill, and it was delivered to the committee on enrolled bills to present to his Excellency the Governor for his approval and signature.

Message from the House by Mr. Ward their Clerk:

Mr. President:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the House:

No. 437. An act to amend an act entitled "An act to repeal the act entitled "An act to amend the 4th article of the 16th chapter of the Revised Statutes of 1843, so far as the same relates to the county of Washington and Jackson, approved January 5, 1844, so far as the same relates to the county of Washington.

No. 389. A Joint Resolution in relation to the improvement of the Iroquois and Kankakee rivers in the State of Indiana.

No. 153. An act to authorize William Horner to convey certain real estate.

No. 87. An act fixing the time of holding circuit courts in the county of Marion and for other purposes.

No. 399. An act to locate a State road in the counties of Fulton, Marshall, Pulaski and Stark.

No. 512. An act to incorporate the Vermillion Academy.

No. 508. An act requiring the School Commissioner of the county of Marion to give bond and take an oath of office.

No. 417. An act for the benefit of the Jeffersonville and New Albany Railroad Company.

No. 41. An act for the election of township assessors in the counties therein named.

No. 521. An act to revive an act entitled "An act to provide for a more uniform mode of doing township business in the several counties therein named, approved February 17, 1838."

No. 253. An act to amend section of article 1 chapter 7 of the Revised Statutes of 1843.

No. 416. An act to vacate a certain street and alley in New Carlisle in St. Joseph County.

No. 188. An act to authorize the Auditor and School Commissioner for Morgan County to make a deed to William Berry for certain school lands in said county.

No. 403. An act to authorize additional election precincts in Decatur County.

No. 174. An act to legalize the transfer of a certificate for certain school lands in Morgan County and for other purposes.

No. 154. An act to relocate part of the State Road from Harrison to Indianapolis.

No. 509. An act for the relief of James Vanblaricum.

No. 268. An act to incorporate the town of Winchester in Randolph County.

No. 424. An act exempting the property of blind and deaf and dumb persons from taxation.

No. 523. An act to authorize the Agent of State to settle with John Burke for certain house rent.

Which I am directed to bring to the Senate for the signature of the President thereof.

Whereupon the President affixed his signature to said enrolled bills, and they were delivered to the committee on enrolled bills to present to the Governor for his approval and signature.

Message from the House by Mr. Ward their clerk:

MR. PRESIDENT:

The Speaker of the House has signed the following enrolled bill of the House.

No. 99. A bill in regard to the bonds of county officers.

Which I am directed to bring to the Senate for the signature of the President.

Whereupon the President affixed his signature to said enrolled bill, and it was delivered to the Committee on Enrolled Bills to present to his Excellency the Governor for his approval and signature.

Message from the House by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate without amendment:

No. 309. An act for the benefit of the widow of the late William H. May, deceased.

No. 300. An act to increase the power of the County Board in the county of Blackford.

No. 74. An act to amend the 9th article of chapter 30 of the Revised laws of 1843.

No. 331. An act to define the law in relation to bailiffs in the Hancock Circuit Court.

No. 332. An act releasing the right of the State to certain lands in Hancock County which was acquired by escheat.

No. 334. An act to authorize the county commissioner of Warren county to establish an additional place of holding elections in Madina township of said county.

No. 335. A Joint Resolution in relation to making compensation to the Adjutant General of the State.

No. 333. An act for the relief of the heirs of Ezra Smith deceased.

No. 326. An act to allow parties to take depositions in actions at law after injunctions granted.

No. 321. An act to provide for repairing the building on the Governor's Circle.

No. 285. An act for the benefit of the reserved township of seminary lands in Monroe County.

No. 212. A joint resolution declaratory of the meaning of an act entitled "an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie canal to Evansville," approved January 19, 146, and an act supplementary thereto, approved January 27, 1847, in relation to the conveyance of certain canal lands or lots therein named;

No. 229. An act to repeal so much of an act entitled "an act fixing the time of holding the probate courts of Ripley county," approved January 7, 1847, as relates to the compensation of the probate judge;

No. 327. An act for the relief of the late school commissioner of Delaware county;

Message from the House by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the Speaker has signed the following bill, and the same is reported to the Senate for the signature of the President thereof;

No. 324. An act in relation to the saline fund in this State;

Whereupon the President affixed his signature to said enrolled bill, and it was delivered to the committee on enrolled bills, to present to the Governor for his approval and signature.

MR. PRESIDENT:

I am directed by the House to inform the Senate, that the Speaker

has signed the following joint resolution, and I bring the same to the Senate for the signature of the President;

No. 515. A joint resolution asking the aid of the General Assembly for the American Colonization Society;

Whereupon the President affixed his signature to said enrolled bill, and it was delivered to the committee on enrolled bills, to present to the Governor for his approval and signature.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled act of the House;

No. 289. An act to regulate the sale of spirituous liquors in the county of Floyd;

Which I am directed to bring to the Senate for the signature of the President thereof.

Thereupon the president affixed his signature to said enrolled bill and it was delivered to the committee on enrolled bills, to present to his Excellency the Governor for his approval and signature.

Mr. Hardin made the following report:

MR. PRESIDENT:

The committee of free conference, on the part of the Senate, appointed to confer with a similar committee on the part of the House, upon the subject of a disagreement between the two Houses, in relation to a bill of the House No. 505, "a bill making specific appropriations for the year 1848," have instructed us to report that they cannot agree on the 1st, 2d, 8th, 13th, and 16th amendments of the Senate to said bill—and that the Senate recede from their 3d, 6th, 10th, and 12th amendments to said bill. The House concur in the 9th amendment of the Senate to said bill.

In which the concurrence of the Senate is respectfully requested.

Which report of committee was concurred in by the Senate.

Mesasge from the House by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the amendments agreed to by the committee of free conference in relation to the amendments of the Senate to House bill;

No. 505. An act making specific appropriations for the year 1848;

And have appointed Messrs. Harvey and Lane a second committee of free conference to consider of the matters about which the first committee of free conference have disagreed.

Messrs. Malott and Huffstetter were appointed said committee on the part of the Senate.

Message from the Governor by Mr. Sleeth his Private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he did on this day approve and sign the following bills and joint resolutions:

No. 265. "An act to authorize the commissioners of Daviess county to employ a physician, and for other purposes;

No. 152. An act to amend an act entitled, "an act to incorporate the Terre Haute and Richmond railroad company," approved January 26, 1847;

No. 137. An act to incorporate the town of Huntington;

No. 87. An act to incorporate the French Lick Steam Mill company;

No. 233. An act to incorporate the Chamberline Mills;

No. 141. An act regulating the granting of license to retail spirituous liquors in the counties of Gibson and Dubois;

No. 317. An act to amend an act entitled "an act for the relief of Elias Murray," approved January 27, 1847. All of which originated in the Senate;

February 16, 1848.

Mr. Hardin, chairman of the committee on enrolled bills submitted the following report:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor for his approval and signature. bills of the Senate Nos. 280, 273, 95, 328, 75, 163, 251, 224, and House bills Nos. 375, 503, 422, 465, 473, 474, 451, and of the Senate Nos. 248, 324, 295, 311, 296, 244, 180, 168, 195, 192, 292, 172, 160, 241, 181, 301, 480, 221, 236, 154, 319, 220, 151, 274, 252, 239, 258. 219, 264, 233, 217, 273.

Message from the House by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the engrossed amendment of the Senate to the following engrossed bills of the House without amendment;

No. 289. An act to regulate the sale of spirituous liquors in the county of Floyd:

No. 241. An act to amend article 5, chapter 45 of the Revised Code of 1843;

No. 348. An act to impose additional duties on the prosecuting attorneys of the 12th judicial circuit of the State, and for other purposes.

The following message was received from his Excellency the Governor, by Mr. James M. Sleeth his private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he did on yesterday approve and sign the following bills and joint resolutions, to-wit:

No. 262. An act for the relief of A. Bird;

No. 211. An act to revive and amend an act entitled "an act to incorporate the Crawfordsville and Wabash Railroad Company," approved January 19, 1846;

No. 161. An act to amend the 14th section of article 1st of chapter 14 of the Revised Statutes of 1843;

No. 268. An act authorizing the sale of the old Indiana State Prison;

No. 285. An act for the benefit of the reserved township of seminary land in Monroe county;

No. 253. An act giving the commissioner of the reserved township in Monroe county a compensation for certain servises therein named;

No. 266. An act for the relief of Margaret Wade;

No. 157. An act to provide for summoning pettit jurors in Johnson county;

No. 267. An act to authorize the sale of school section belonging to Congressional township twenty-one, range five west, in Tippecanoe county;

No. 156. An act to change the time of holding the probate court in Franklin county;

No. 149. An act for the relief of the members of the Wabash Fire Company in Lafayette;

No. 150. An act to incorporate the Tippecanoe Guards in Tippecanoe county;

No. 193. An act allowing the auditor of Grant county one half of one per cent. on all school funds in the hands of the school commissioner and county auditor;

No. 160. A joint resolution relative to a marsh and wet tract of land in the counties of Jay and Adams;

No. 78. An act regulating the width of roads and highways in the counties of Vanderburgh and Posey;

No. 246. An act to locate a State road in the counties of Adams, Allen and Jay;

No. 159. An act for the relief of Joseph E. Moore;

No. 157. An act to amend the seventh article of the 30th chapter of the Revised Statutes of 1843, concerning the probate of wills and testaments;

All of which originated in the Senate.

February 16th 1848.

The following message was received from his Excellency the Governor, by Mr. James M. Sleeth, his private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he did on this day approve and sign the following bills and joint resolutions, to-wit;

No. 209. An act in relatiou to certain school lands in Floyd county;

No. 256. On act to incorporate the Mount Vernon and New Harmony Railroad Company;

No 255. An act to incorporate the Cannelton Steam Mill and Manufacturing Company;

No. 239. An act concerning the distribution of the laws and journals in Bartholomew county;

No. 280. An act to authorize the construction of plank or coal roads;

No. 261. An act to amend the charter of the Milford and Columbus Railroad Company;

No. 260. An act to authorize Thomas Hamilton to build a mill dam across the St. Joseph river in Allen county;

No. 237, An act to authorize the commissioners of Jay county to assess an additional tax;

No. 203. An act to incorporate the Richmond and Hagerstown Turnpike Company;

No. 307. An act to amend an act to authorize the formation of voluntary associations, approved January 27, 1847;

No. 179. An act to authorize the county commissioners of Tippecanoe county to pay for the erection of a bridge across the canal at Green street, in Lafayette;

No. 169. An act authorizing the commissioners of Lagrange county, to increase the salary of the probate judge of said county;

No. 189. An act to authorize the board of commissions of Allen county to sell certain real estate therein specified;

No. 287. An act in relation to the New Albany and Vincennes Turnpike Road:

No. 257. An act to regulate the practice of law in Lagrange circuit court;

No. 245. An act relative to the collection of taxes in Bartholomew county;

No. 275. An act extending the provisions of section 16 of the Revised Statutes of 1843, to the county of Lagrange;

No. 284. An act to change the name of the town of Springfield in Wabash county;

No. 176. An act to incorporate the New Castle and Knightstown Railroad Company;

No. 175. An act to incorporate the New Castle and Richmond Railroad Company;

No. 198. An act to authorize the board of county commissioners of Jay county, to borrow money;

No. 166. An act to incorporate the Union Literary Institution;

February 16, 1848.

On motion,

Resolved, That when the Senate adjourns, it will adjourn to meet on to-morrow at 6 o'clock.

On motion by Mr. Davis,

Resolved, That the Governor be respectfully requested to return to the Senate, in which it originated, No. 289, entitled "an act relative to the New Albany and Salem Railroad Company."

Which bill was returned to the Senate accordingly.

Mr. Malott made the following report:

MR. PRESIDENT:

The second committee of free conference appointed on the part of the Senate, to act with a similar committee on part of the House, to take into consideration the matters of differance between the two Houses, in relation to the amendments of the Senate to bill of the House No. 505, entitled "an act making specific appropriations for the year 1848," beg leave to report, that said committee have had the same under consideration, and agreed as follows:

1st. That the Senate recede from its amendment, striking out the 5th section.

2d. That the Senate recede from its amendment, striking out the 6th section.

3d. That the amendment of the Senate, striking out the 37th section, be so modified as to allow Amory Kinney thirty-six dollars.

4th. That the House concur in the amendments of the Senate striking out the 56th and 59th sections.

In which the concurrence of the Senate is requested, and said commmittee ask leave to be discharged from the further consideration of the subject.

The following message was received from the House of Representatives, by Mr. Ward, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have concurred in the report of the second committee of free conference on the amendments of the Senate to House bill,

No. 505. An act making specific appropriations for the year 1848;

The Senate adjourned till six o'clock P. M.

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6 o'clock, P. M.

The Senate assembled.

Mr. Berry, chairman of the committee on roads, submitted the following report:

MR. PRESIDENT:

The committee on roads to whom was referred bill of the House No. 377, entitled "an act to revise and consolidate the several acts of assembly in relation to laying out, opening, repairing, changing, and relocating public highways, and the erection and repair of bridges, and to amend the same," have not for the want of time, been able to examine the provisions of said bill, and return it to the Senate, and ask that it be laid over with the unfinished business of the session, and ask to be discharged from the further consideration of the same.

Which report was concurred in.

The following message was received from the Governor by Mr. Sleeth, his private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate, that the following bills having been presented to him for his approval more than five days ago, but time for the desired research not having been afforded in the hurry of official business, the same have not been approved nor returned to the Senate with his objections down to the present time, the same have therefore severally become laws, viz:

No. 110. An act to incorporate the Junction Rail Road Compery;

No. 16. An act to incorporate the Eel River Manufactnring Company, at Logansport;
No. 47. An act to incorporate the Rushville and Lawrenceburgh Rail Road Company;
No. 77. An act to incorporate the Madison and Brownstown Turnpike Company;
No, 228. An act to incorporate the Lake Michigan, Logansport, and Ohio River Rail Road company;
No. 112. An act to amend an act entitled "an act to incorporate the Knightown and Shelbyville Rail Road Company," approved January 19, 1846;

All of which originated in the Senate.
February 17th, 1848.

On motion,
The Senate adjourned until 6 o'clock, A.M., to-morrow.

THURSDAY MORNING, February 17, 1848.

The Senate assembled.

Reading the journal was dispensed with.

Mr. Simpson submitted to following report:

Mr. President:

The committee on free conference, appointed on the part of the Senate to act with a similar committee appointed on the part of the House, to adjust the difference between the two Houses in relation to Senate bill No. 237, entitled an act to amend an act entitled an act to incorporate the White Water Valley Canal Company, approved January 20, 1842, would respectfully report that they cannot agree, and respectfully recommend that the bill be laid over as unfinished business, and ask to be discharged from the further consideration thereof:

Which report was concurred in by the Senate.
The following message was received from His Excellency, the Governor, by Mr. Sleeth, his private secretary:

Mr. President:

I am directed by the Governor to inform the Senate that he did on yesterday approve and sign the following bills:

No. 321. An act authorizing the repair of the building on the Governor's Circle;
No. 329. An act relative to the counties of Carroll and Clinton;
No. 87. An act changing the time of holding the courts in the county of Knox;
No. 312. An act to establish a certain State road therein named;
No. 265. An act to authorize the commissioners of Daviess county to employ a physician, and for other purposes;
No. 236. An act relative to the estate of John Sims, deceased;
No. 219. An act to authorize the improvement of Tanner's creek, in Dearborn county;
No. 340. An act to authorize the Treasurer of State to draw the State's dividends on her stock in the Madison and Indianapolis Rail Road, and for other purposes;
No. 480. An act for the relief of certain persons therein named;
No. 206. An act to incorporate the Steuben Medical Society, of Steuben county, Indiana;
244. An act prescribing the manner of assessing and paying the taxes upon the stock of individuals in the Madison and Indianapolis Rail Road Company;
No. 335. A joint resolution in relation to making compensation to the Adjutant General of the State;
No. 229. An act to repeal so much of an act entitled an act fixing the time of holding the probate courts of Ripley county, approved January 7th, 1847, as relates to the compensation of the probate judge;
No. 204. An act for the relief of certain persons therein named, in the county of Monroe;
No. 119. An act to extend the jurisdiction of justices of the peace in certain criminal cases;
No. 311. A preamble and joint resolution in relation to the flag of the second Indiana regiment;
No. 296. An act for the relief of replevin bail;
No. 181. An act giving additional powers to the president and trustees of the town of Lafayettee, in Tippecanoe county;
No. 293. An act to incorporate the town of Patriot, in Switzerland county, Indiana;
No. 327. An act for the relief of the late school conmissioners of Delaware county;
No. 151. An act to amend an act to incorporate the city of Jeffersonville, approved January 27, 1848;
No. 334. An act authorizing the commissioners of Warren county to establish an additional place of holding elections in Mederia township;
No. 75. An act to amend an act entitled an act to provide for the election of prosecuting attorneys by the people in the several counties, approved January 27, 1847;
No. 168. An act to explain and amend an act for the relief of the

purchasers of the saline lands in Orange county, approved January 22d, 1847;

No. 258. An act to amend an act incorporating the Brookville and Connersville Turnpike Company;

No. 188. An act to legalize a survey of the city of Fort Wayne;

No. 174. An act to revive an act entitled an act to authorize the location and establishment of a State road from Salem, in Washington county, by Lawrenceport and White river, to Bedford, in Lawrence county, approved January 21, 1847;

No. 300. An act increasing the power of the county board of the county of Blackford;

No. 330. An act to define the time when a certain act herein named shall take effect and be in force;

No. 295. An act in relation to mortgages due to the treasury funds and the Indianapolis fund;

No. 162. An act to revive and amend an act entitled an act to incorporate the Perrysville and Danville Rail Road Company, approved January 26, 1836, and an act entitled an act to amend an act entitled an act to incorporate the Perrysville and Danville Rail Road Company, approved February 13th, 1848;

No. 141. An act regulating the granting of license to retail spirituous liquors in the county of Gibson and Dubois;

No. 292. An act to locate a State road in the counties of Howard, Miami and Wabash;

No. 319. An act to amend an act entitled an act to authorize the formation of voluntary associations, approved Januury 27, 1847;

No. 320. An act to amend an act entitled an act to incorporate the Junction Rail Road Company;

No. 230. An act to vacate a part of a street in the town of Bloomington;

No. 303. An act to revive and amend an act entitled an act to incorporate the Crawfordsville, Covington, and Illinois Rail Road Company;

No. 177. An act to amend the act to provide for continuation of the Madison and Indianapolis Rail Road to Lafayette, approved January 19th, 1846;

No. 39. An act to incorporate the Indianapolis and Belfountaine Rail Road Company;

No. 301. An act to restrict the county commissioners of Steuben county in levying a tax of fifty cents on the hundred dollars valuation

No. 274. An act to change a certain State road in the county of St. Joseph;

No. 252. An act to incorporate the Harrison Township and Abbington Turnpike company;

No. 326. An act to allow parties to take depositions in actions at law after injunction is granted;

No. 331. An act to define the law in relation to bailiffs in Hancock county;

No. 316. An act to incorporate the Indiana Iron Manufacturing Company;

No. 318. An act explanatory of an act entitled an act to amend an act entitled an act for the benefit of the volunteers for the Mexican war, and for the relief of county treasurers, approved January 13, 1848;

No. 218. An act to incorporate the Fair View Academy, in Rush county;

No. 244. An act to extend the February term of the probate court in Bartholomew county;

No. 172. A joint resolution on the subject of reducing the price of our public lands;

No. 180. An act to amend an act entitled an act to incorporate the Lafayette Insurance Company, approved February 8th, 1836;

No. 224. An act to incorporate the Fort Wayne and Goshen Turnpike Company;

No. 53. An act to incorporate the Crawfordsville and Indianapolis Railroad Company;

No. 344. An act supplementary to an act to incorporate the Crawfordsville and Indianapolis Railroad Company;

No. 305. An act for the relief of the sureties of William Johnson;

No. 154. An act to incorporate the Huntington, Whitley, and Kosciusko Turnpike Company;

No. 254. An act amendatory to the laws in regard to writs of *ad quod damnum;*

No. 332. An act releasing the right ofthe State to certain land in Hancock county which was acquired by escheat;

No. 309. An act for the relief of the widow of the late William H. May, deceased;

No. 285. An act for the benefit of the reserved township of seminary land in Monroe county;

No. 324. An act granting certain powers to the probate court of Dearborn county;

No. 74. An act to amend the ninth article of chapter 30 of the Revised laws of 1843;

No. 202. An act to prohibit the sale of spirituous liquors in the town of Rushville;

No. 221. An act for the relief of widows and orphans;

No. 248. An act to locate a State road from Logansport, Cass county, to Winnemac, in Pulaski county;

No. 192. An act to regulate the signing bills of exceptions in the circuit courts;

No. 195. An act to provide for the taxing of estates in dower;

No. 241. An act authorizing the sale of section sixteen, in township number twenty-eight north, range eight east, in the county of Huntington;

No. 308. An act amendatory of an act entitled "An act to incorporate the Rushville and Lawrenceburgh Railroad Company;

No. 41. An act to extend the time for appraising certain lands belonging to the Wabash and Erie Canal;

No. 281. An act to incorporate the Wabash and Greenville Railroad Company;

No. 282. A joint resolution in relation to the contract entered into between the State of Indiana and her bondholders;

All of which originated in the Senate.

February 17, 1848.

The following message was received from his Excellency the Governor:

To the Senate:

GENTLEMEN—The bill which originated in the Senate, entitled "An act to compel the trustees of the Wabash and Erie canal to allow interest on canal land scrip," is herewith returned, with the reasons which have constrained me to withhold from it my signature. In the hurry of the close of the session I can only briefly express a few thoughts on the subject.

The 12th section of the supplementary act in relation to the State debt, approved January 27, 1847, provides, among other things, that the "trustees, and each and every one of them, or *any other* person or persons, by or on behalf of" the holders of stock set over on the canal, are expressly prohibited from buying or selling any canal land scrip, "or from receiving the same in payment for any land, or on any account, at any sum less than the face of such scrip and interest thereon." The preamble to the present bill states that "the said trustees, by their clerk in the canal land office at Logansport, have refused to allow the full interest due upon large sums of canal scrip tendered to him by purchasers of canal lands in payment of both principal and interest," and that "there is nothing in the report of the trustees, Auditor of State, or Treasurer of State showing that the interest so retained or refused to be allowed to individuals, has ever been paid over to the State, or in any manner accounted for by the trustees or their clerk."

The bill then proceeds to provide that hereafter the trustees, or either of them, or any person acting under their authority in said office, shall allow all the interest that may be due upon the face of every bill presented in payment, and credit the full amount of both principal and interest; and it annexes as a penalty to any violation of that provision, a fine of not less than fifty nor more than five hundred dollars, upon presentment or indictment. The bill further provides for refunding any interest that has heretofore been disallowed at the land office.

In relation to the measure proposed, it occurs to me that two questions obviously arise, viz: Have we the power to enforce it in *this manner?* and, if so, is there a necessity for it?

The legislation arranging the debt constitutes the trustees as a

suing and suable party, and as such responsible, like others, for any injury arising from their acts. It goes further; they can be enforced by the State, by a procedure in court, as mutually provided and agreed upon in the arrangement itself. But if the principle be established that the Legislature, after agreeing to these rules, can impose additional ones, and especially can force their observance by criminal punishment, would it not be in their power, step by step, to drive the trustees to or from *any* measure, even to an abandonment of their places and of the work, and to destroy, and, in effect, abrogate the whole arrangement? And if such should be the result, should we not again find ourselves under the burden of a State debt or fifteen millions? A debt, too, which we have just succeeded in happily arranging, and, as is almost universally admitted, on terms highly favorable to ourselves.

But is there any necessity for this bill? I have been assured from a direct and most authentic source, within the last two days, that the refusal to allow interest at the land office has been entirely without the knowledge of the trustees. It seems to me that before a measure of this kind is resorted to, a complaint, or some notice at least, in relation to the matter, should have been communicated to at least one of the trustees by the party injured, to enable them to apply the remedy. And I am further assured from the same source that the trustees will not only prevent any thing in future at the land office contrary to the arrangement and to what is right, but that they will promptly rectify what may have been done heretofore of that character. Can any thing more be desired? Believing that on this information, the General Assembly would gladly abstain from any act or proceedure which might hazard the recent settlement of the State debt, and expose the faith and honor of the State to unmerited imputations, I have felt it to be my duty to again invoke the wisdom and calm consideration of the Legislature in relation to this matter, and I do this with the less reluctance because if I am mistaken in these views a bare majority only of your number can yet pass the bill by the terms of the constitution notwithstanding my dissent. And even if time is not now afforded for action, it is better that the matter should be postponed until another session, than that by a hasty or rash act the fruits of three years exertions should be periled if not destroyed.

JAMES WHITCOMB.

February 17, 1848.

P. S. Since the adjournment, the undersigned has ascertained a mistake in the foregoing message, which he hastens to correct before the printing of the journal.

He is now informed that the disallowance of interest, was brought by the clerk of the land office, to the notice of one of the trustees, and that by him it was opposed. This approval was based upon the supposed equity of the case. rather than to the letter of the ar-

rangement, and was in accordance, it is stated, with what had been the practice of our own State officers in receiving payments on account of the sinking fund, in similar cases, and involving precisely the same principle. This rule, I have just learned, has been discontinued.

But as that trustee is no longer a member of the board, the remarks in the foregoing message are strictly applicable to the board as it is. Justice requires also that it should be remarked, that no one, certainly no one acquainted with that individual, will impute to him other than the purest and most disinterested motives in the matter, whatever may be thought as to the correctness of his opinion. His long residence in the State, his character of uniform and unquestioned integrity. and above all the nnimpeachable manner in which he has discharged various public trusts, sometimes involving a delicate and heavy pecuniary responsibility, would relieve the most jealous of suspicion, in relation to his public conduct.

And in relation to the main question, it does seem that before coercive measures, and especially those of the character contemplated by the bill, are resorted to, a complaint should be made *officially* to the trustees. They should at least have the privilege of a common criminal, they should not be condemned unheard. An opportunity should be afforded them in common with other citizens, of doing justice in the premises themselves. Instead of that the present bill contains a direct charge of alleged violation of law, coupled with an imputation of a highly offensive and reprehensible character. In relation to any disputes that might arise, the State as one party, made an arrangement with the other, that they should be referred to the decision of a different tribunal; and that tribunal certainly can not be regarded as prejudiced against the State—to the decision of her own courts. In any controversy that may arise the State is by far the strongest party. She can at any time do what I trust will never be done; withhold the interest on the State debt itself. Her creditors and the trustees therefore, have a strong inducement to comply punctiliously, with every part of their duties and their engagements. They may be said to be wholly within the power of the State, and for that very reason the State should stand far above any improper exercise of that power. I trust she will ever be too proud to do injustice, and especially to the weaker party, and a party too, that has shown much generosity and liberality in the arrangement of our public debt.

Without any adequate motive to violate the contract, therefore, and from the assurances of one of the board, as before intimated, the undersigned is satisfied that whatever irregularity may have occurred, has happened through no wrong intention and will be rectified voluntarily by the board itself, at an early day.

JAMES WHITCOMB.

February 22, 1848.

On motion by Mr. Berry,

Resolved, That a committee of two be appointed on the part of the Senate, to act with a similar committee on the part of the House, to wait upon his Excellency the Governor, and inform him that both Houses have gone through with their legislative business and are now ready to adjourn sine die, if he has no further communications to make to them, and that the House be informed of the adoption of this resolution.

Messrs. Berry and Miller were appointed said committee.

Message from the House of Representatives by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have concurred in the resolution of the Senate appointing a joint committee to wait on his Excellency, and have appointed Messrs. Cookerly, and Jones of B., said committee on the part of the House.

Mr. Berry from the committee appointed to wait upon his Excellency, submitted the following report:

MR. PRESIDENT:

The cmmittee appointed to wait on his excellency the Governor and inform him that both Houses of the General Assembly had gone through with their legislative business, and were ready to adjourn sine die, if he has no further communications to make to them, have performed that duty, and are directed by his Excellency to inform the General Assembly that he has no further communications to make to them.

On motion by Mr. Berry,

Resolved, That the Secretary inform the House, that the Senate have gone through with their legislative business and are now ready to adjourn sine die.

Message from the House by Mr. Ward their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the Senate be informed that the House is now through with legislative business and ready to adjourn *sine die*.

On motion by Mr. Berry,
The Senate adjourned sine die.

PERRY E. ROBINSON,
Asst. Sec'ry. Senate.

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ZENOR, JOHN

Attended, ... 3

TABLE OF BILLS OF THE SENATE.

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other Proceedings.	Approved.
1	A bill to authorize the voters of this State to vote for or against a convention for the revision of the constitution,	20	34, 93, 213, 229				
2	A bill for the relief of Mary Russell,	21	21, 52				
3	A bill to incorporate the Richmond University,	24	34, 202	359	544		619
4	A bill to incorporate the Franklin Institute of the Richmond University,	24	24	79	242	276	349
5	A bill to change the time of holding probate court in Dearborn county,	25	25	25	180	234	214
6	A bill to authorize Hiram J. Bradley to file his bill in chancery,	27	27	27	234		
7	A bill to amend an act to incorporate the Lagrange Phalanx,	27	36, 242				
8	A bill to amend the charter of the Madison and Napoleon Turnpike Company,	27	48, 148	157	391	425	551
9	A joint resolution for the reduction of the price of land in the Miami Reserve,	27	27	36	36	37	79
10	A joint resolution for the relief of John R. Jones and John D. Furguson,	27	27	36	36	37	

11	A bill to regulate the fees and emoluments of county officers,	33	48, 156, 229	229			
12	A bill to authorize the Secretary of State to send to the county of Allen an additional number of copies of the laws of the State,	34	34	34	80		130
13	A joint resolution relative to bounty land warrants,	40	48	48	271	287	297
14	A joint resolution to postpone the sale of land in the Miami Reserve,	76	76	76			
15	A bill prescribing the mode of selecting petit jurors in Jay county,	41	41	41	80		130
16	A bill to incorporate the Logan Manufacturing Company,	42	48, 180	230	359	425	664
17	A bill to amend the act incorporating the Peru and Indianapolis Railroad Company,	42	42, 60	60	80		130
18	A bill to amend section 65, article 6, chapter 54, Revised Statutes of 1843,	42	53				
19	A bill to amend the charter of the city of New Albany,	42	42 [619	42	70		161
20	A bill for the republication of certain laws,	42	52, 54, 426, 479,				
21	A bill explanatory of an act,	42					
22	A bill to prohibit the sale of spirituous liquors in Henry township, Henry county,	22	88	128	242	276	349
23	A bill prescribing the manner of assessing stock of the Madison and Indianapolis Railroad Company,	45	45				
24	A bill to incorporate the Monticello Hydraulic Company,	45	45, 120, 238	238	359	425	537
25	A bill authorizing the Governor to appoint commissioner in Mexico,	45	52, 87, 88	87			

BILLS OF THE SENATE—*Continued.*

Number.	TITLE.	*First Reading.*	*Proceedings before passage.*	*Passed Senate.*	*Passed House.*	*Proceedings after passage.*	*Approved.*
26	A bill to amend an act for the benefit of volunteers in Mexico and county treasurers,	45	45	45	80		130
27	A bill for the benefit of the New Albany and Salem Railroad Company,	45	45, 147, 152, 154	211	462	532, 534	544
28	A bill to amend an act authorizing people to vote for prohibiting the retail of liquors,	45	88, 170	170	448	449	
29	A bill regulating appeals to the circuit court,	46	88, 174				
30	A bill relative to execution of decrees in chancery,	46	45, 53	87			
31	A bill for the relief of sufferers by high water on White Water river,	46	86, 366				
32	A bill to change the time of holding probate court in Allen county,	46	46	46	164	169	171
33	A bill to amend the charter of the Lafayette Bridge Company,	47	47	47	61		
34	A bill to vacate certain streets and alleys in Raysville, Henry county,	47	47	47	242	276	358
35	A bill for the relief of Zachary Collins,	48	48	48	242		297
36	A bill relative to the practice in the Laporte circuit court,	48	48, 53	87	242	276	

37	A bill vacate the streets in the town of Brookville,	48	48	48	381	381	
38	A bill for the relief of the sureties of John Plasters,	48	48,79,407	407	462		581
39	A bill to incorporate the Indianapolis and Muncie railroad company,	57	[180,182 57,184,291,176,	319	448	525	666
40	A bill giving further time for the settlement of the revenues of Delaware county,	61		61	61		79
41	A bill to extend the time for appraising land belonging to the Wabash and Erie canal,	76	76,207,230,463,	464	576		667
42	A bill to authorize the auditor and school commissioner of Jay county to sell school lands in said county,	76	77	151	354		440
43	A bill for the relief of Elizabeth Jones of Gibson county,	77		77	271	287	297
49	A bill to extend the jurisdiction of justices of the peace in certain criminal cases therein named,	77	171,224,329	355			
44	A bill relative to Marion circuit court,	77	77	77	150	160	214
45	A bill to vacate a State road in the county of St. Joseph,	78		78	232		252
46	A bill to amend an act incorporating the Brookville and Cincinnati turnpike company,	78		78	27	287	297
47	A bill to incorporate the Rushville and Lawrenceburgh rail road company,	78	189	262	359	664	
48	A bill to authorize the clerk of the Carroll circuit court to sell certain real estate,	78		151	242	258	297
50	A bill fixing the time of holding courts in Hancock county,	79		79	80		81
51	A bill in relation to the county seminary fund of Tippecanoe county,	83	129	151	391	425	552
52	A bill to incorporate the Marion female college,	85	85	131	391	425	577

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other proceedings.	Approved.
52	A bill to attach part of Shelby to Decatur county,	85	129				
53	A bill to incorporate the Crawfordsville and Indianapolis railroad company,	85	193, 196	262	359	425	
54	A bill to repeal the 2d ection of an act to vacate certain alleys in Bloomington,	85	129	151	391	425	534
55	A bill creating the Tippecanoe court of common pleas,	85	85	128	161	165	167
56	A bill for the benefit of the Union Literary Society,	85		85	242	258	297
57	A bill providing for a special term of the probate court in Washington county,	85	85	85	116		161
58	A bill for the punishment of embezzlement,	85	85	266		306	
59	A bill to protect the trust fund of the State,	85	119, 151	152			
60	A bill to incorporate the Greenbush cemetary association,	88	92	129	242		368
61	A bill to authorize Ira Baily to build an arm to the Knightstown and Shelbyville railroad,	86	92	92	242	258	297
62	A bill for the benefit of S. E. Waller and Geo. Green,	92	266	288	354		440
63	A bill to change the name of Lewis Myers to Lewis Myers Douglass,	93	93	129	263	258	297

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64	A bill to postpone the sale of delinquent lands in Adams county,	93	93	93	118		123
65	A bill to vacate a portion of an addition to Lafayette,	93	266	319	354	495	
66	A joint resolution relative to the Mexican War,	93	267,279,286,599				
67	A joint resolution relative to the Mexican War,	93	288, 298				
68	A bill for the relief of the citizens of Lawrenceburgh,	94		94	243	258	297
69	A bill to repeal an act entitled an act for the relief of Miami Indians, approved February, 1844,	94	174	175			538
70	A bill for the relief of Anthony Schutz, deceased,	94	301	319	354		497
71	A bill to authorize M. Peterson to convey water to the city of Lafayette,	95	301	319	354		440
72	A bill to incorporate the Fairfield Hydraulic company,	95	248	262	359	425	577
73	A bill for the relief of Davis Porter,	95	148	148			
74	A bill to amend art. 90, chapter 30, Revised Laws of 1843,	95	308	341	657		667
75	A bill to amend an act to provide for the election of prosecuting attorneys by the people in the several counties,	95	301, 393	460	625		665
76	A bill for the improvement of highways,	95	301, 330	362			
77	A bill to incorporate the Madison and Brownstown turnpike company,	95	188	262	359		
80	A joint resolution requesting the Governor to present General Lane a sword,	96	96, 97	96	596	663	
81	A bill relative to the organization of the Senate and House,	120	120	120	243	258	297
82	A bill to vacate a certain State road therein named,	120	120, 325	362	544		619

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Number.	TITLE.	*First Reading.*	*Proceedings before passage.*	*Passed Senate.*	*Passed House.*	*Other Proceedings.*	*Approved.*
83	A bill to change the name of Springfield to Cherry Valley,	121	302	319	354		497
84	A bill for the relief of Michael Headakin,	121	302	319	354		557
85	A bill for the relief of Joseph Mathers,	122	302	319			
86	A bill authorizing Peter King to build a mill dam across the Mississinnewa river,	124	302	319	354		497
87	A bill changing the time of holding court in Knox county,	124	124	124	633	634	665
88	A bill to amend Sec. 118, Art. 7, Chap. 12, Revised Statutes, 1843,	124	168, 262				
89	A bill to incorporate the French Lick Steam Mill Company,	124	224	262	359		
90	A bill to incorporate the Ohio and Mississippi Railroad Company,	125	148, 161, 211	212	430		
91	A bill to extend the time of collecting taxes in Dearborn county,	125	125	125	305		
92	A bill to fix the time of holding Probate Court in Shelby county,	125	125	125	195		214
93	A bill to repeal an act to restrict the grand jury of Franklin county to a limited time in their session,	125	125	125	243	258	
94	A bill to amend Chap. 10, R. S., 1843,	125	186, 206	263			
95	A bill declaratory of the meaning of Sec. 30, Chap. 37, R. S., 1843,	125	168	263	625		
96	A joint resolution relative to Miami Indians,	126	126	126	271	287	297
97	A bill relative to the election of President and Vice President U. S.,	127	302	319	391		538
98	A bill for the relief of the heirs of John Widney,	127	397	442	544		623
99	A joint resolution relative to the admission of cadets in West Point Academy,	127	302, 369				
100	A bill to amend the records of the town of Huntington,	127	302	302	391		557
101	A bill in reference to the county records of Lagrange county,	128	128	128	243	259	297
102	A bill to amend Chap. 12, Art. 11, R. S., 1843,	128	303, 367				
103	A bill in relation to the suit of the Vincennes University against the State of Indiana,	128	170	264	359		551
104	A bill to authorize Moses Rubble to build a mill dam across the Mississinnewa river,	135	303	320	354		497
105	A bill to authorize the commissioners of Cass county to employ a physician by the year,	135	135	135	391		551
106	A bill to change the name of the county seat of Martin county,	135	135	135	391		551
107	A bill to authorize sale of school section in township 25 north, of range 2 west, in Carroll county,	136	136	136	391		581
108	A bill in relation to Carrolton, in Carroll county,	136	136	136	391		440
109	A bill to amend an act entitled "An act to provide for the continuance of the construction of public works,	140	140	140	232		252

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other Proceedings.	Approved.
110	A bill to incorporate the Junction Railroad Company,	140	140, 190	193	391	663	
111	A bill to compel trustees of Wabash and Erie Canal to allow interest on scrip,	140	176	176	448		
112	A bill to amend an act entitled "An act to incorporate the Knightstown and Shelbyville Railroad Company,	140	303	320	354	664	
113	A bill to abolish school commissioner in Putnam county,	140	141	264	359		551
114	A bill to amend an act entitled An act to incorporate the White Water Valley Canal Company,	143	149	149	191	271, 274	
115	A joint resolution on the subject of land warrants,	144		144	391		623
116	A bill to locate a State road in Posey and Vanderburgh counties,	144		144	391		535
117	A bill to repeal all claims requiring certain process and other instruments of writing to be sealed with wax, &c.,	150	150	341			
118	A bill to incorporate the Ripley County Medical Society,	150	151, 171, 190	264	359		577

147	A bill to change the name of Granville, in Tippecanoe county,	209	317	356	545		633
148	A bill to vacate a part of a State road in Tippecanoe county,	209	317	356			
149	A bill for the relief of the members of the Wabash Fire Company,	210	317	356	345		
150	A bill to incorporate the Tippecanoe Guards,	210	317	356	545		660
151	A bill to amend an act to incorporate the city of Jeffersonville, approved January 27th, 1847,	211	318	360			
152	A bill to amend an act entitled an act to incorporate the Terre Haute and Richmond Railroad Company,	217	291, 254	293	538	539, 576	659
153	A bill to amend an act entitled an act to provide for a free turnpike road in Steuben county,	217	318	253	545		618
154	A bill to incorporate the Huntington, Whitley, and Kosciusko Turnpike Company,	217	318	356	545		667
155	A bill to change the time of holding commissioners' court in Jefferson county,	217	318	356	545		619
156	A bill to change the time of holding the probate court in Franklin county,	217	318	356	545		
157	A bill to amend article 2, chapter 30, of the Revised Statutes of 1843,	217	318, 390	442	545		660
158	A bill for the summoning of jurors in Johnson county,	217	318	357	545		
159	A bill for the relief of Joseph E. Moore,	219	318	357	545		660
160	A joint resolution relative to a marsh and wet tract of land in Jay and Adams counties,	221	321	357	545		660
161	A bill to amend section 14, article 1, chapter 14, of the Revised Statutes of 1843,	221	321	357	545		660

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other proceedings.	Approved.
162	A bill to incorporate the Perrysvile and Danville Railroad Company,	221	321	357	545		666
163	A bill to amend an act entitled act to authorize the superintendent of the Wabash and Erie canal to pay such equitable claims as counties and individuals may have for surveying the canal from Tippecanoe to Terre Haute,	221	321	360	625		
164	A bill prescribing the duties of petitioners for the incorporation of towns and villages,	221	321	360			
165	A bill to incorporate the Laporte and Michigan City Railroad Company,	222	321, 382, 420	420	420	462	462
166	A bill to incorporate the Union Literary Society,	222	321	360	545		
167	A bill for securing an effective supervision of the State Prison,	222	321, 351	352			
168	A bill to explain and amend an act for the relief of the purchasers of saline lands in Orange county,	222	321	360	545		665
169	A bill authorizing commissioners of Lagrange county to increase the salary of the probate judge,	222	321	360	545		661
170	A bill to regulate prceedings in the actions of waste,	222	322, 395	441			

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119	A bill to improve the Huntington and Goshen State Road,	156	156	156	391		551
120	A bill for the relief of Patrick McGinley,	163	242, 240	265	355	487, 491	544
121	A bill to amend an act entitled an act to incorporate the Ohio and Indianapolis Railroad Company,	163	163, 204	264	390		
122	A bill for the relief of the heirs of Louisa Jane Cassatt,	163	163, 168	168	201		221
123	A bill for the relief of Rudolph Fischli and others,	163	163, 308	554			
124	A bill relative to the time of making reports to the Legislature,	164	164	164	448		538
125	A bill for the relief of Anne Henderson,	169	169	264			
126	A bill to vacate a road in Laporte county,	175	175	175	391		557
127	A bill to amend an act entitled an act to reduce the tolls on the New Albany and Vincennes Road,	176	176	176	391		
128	A bill to correct a misprint in the act therein named,	178	179	179	391		552
129	A bill to authorize Isaac Hiftner to build a dam,	179	179	179	391		551
130	A bill to amend section 1, article 1, of the Revised Statutes of 1843,	179	307				
131	A bill to revive an act entitled an act to incorporate the city of Logansport, approved January 13th, 1845,	179	179, 225	266	359		618
132	A bill for the benefit of Lawrenceburgh township, Dearborn county,	179	179	179	448		538
133	A bill to authorize the county of Laporte to borrow money and levy additional taxes,	179		179	392		551
134	A bill for the benefit of the recorder of Monroe county,	180	180	180	392		551
135	A bill for the relief of John Boone,	180	180, 208	266	359		535

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BILLS OF THE SENATE.—*Continued.*

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other Proceedings.	Approved.
136	A bill authorizing the establishment of additional branches of the State Bank,	188	188, 282	320	502		
137	A bill to incorporate the town of Huntington,	189	189, 317	342	354	639	659
138	A bill levying a tax in Union township, St. Joseph county,	202	202	202	392		551
139	A bill for the relief of A. G. Selman,	203	317	342	435		510
140	A bill to incorporate the Portland and Ohio Railroad Company,	203	327	342	354	374	551
141	A bill regulating the granting of license to retail liquor in Grant and Posey counties,	203		342	502	659	666
142	A bill authorizing the commissioners of Lagrange county to sell county seminary in said county,	204	317	342	354		541
143	A bill to incorporate the Wilton and Waterloo Turnpike company,	207	317	343	354		535
144	A joint resolution relative to National Road,	208	317	343	462		538
145	A bill to provide for draining swamps and wet lands,	208	283, 308	343	555		619
146	A joint resolution relative to a mail route from Salem to Bloomington, Indiana,	209	317	343	474		462

172	A joint resolution on the subject of graduating the price of public lands,	222	321	360	545		667
173	A bill authorizing the vacation of towns, streets, and alleys,	222	321, 360				
174	A bill to revive an act entitled an act to authorize the location and establisbment of a State road from Salem, by Lawrenceport, to Bedford,	222	321	360	545		666
175	A bill to incorporate the New Castle and Richmond Railroad company,	222	321, 326	372	555		662
176	A bill to incorporate the New Castle and Knightstown Railroad Company,	222	322, 326	372	555		662
177	A bill to amend the act to provide for the continuation of the Madison and Indianapolis Railroad to Lafayette,	222	322, 327	372	578		666
178	A bill fixing the limits of the town of Lafayette,	222	322	361			
179	A bill to authorize the county commissioners of Tippecanoe county to pay for the erection of a bridge across the canal at Green street, Lafayette,	223	322	361	545		661
180	A bill to amend an act entitled an act to incorporate the Lafayette Insurance company,	223	322, 351	373	545		667
181	A bill giving additional powers to the president and trustees of the town of Lafayette,	223	322, 327	373	545		665
182	A bill to revive an act entitled an act to incorporate the Lafayette and Danville Railroad Company,	223	323, 350	373	545		618
183	A bill to amend the law,	223	323	441			
184	A bill for the relief of certain persons therein named,	223		373	545		581
185	A bill to authorize the executors, administrators, and guardians to make deeds in certain cases,	223	398	442			

BILLS OF THE SENATE—*Continued.*

Number.	TITLE.	*First Reading.*	*Proceedings before passage.*	*Passed Senate.*	*Passed House.*	*Other Proceedings.*	*Approved.*
186	A bill confirming the marriage between Thomas Berry and Elizabeth Berry,	223	330, 394	583			
187	A bill to dispose of the Georgia lumber lands,	223	330, 367				
188	A bill to legalize a survey of the city of Ft. Wayne,	223	330	373	545		666
189	A bill amendatory to an act to incorporate the White Water Valley Canal Company,	223	278, 286, 321				
190	A bill exempting certain property from execution,	223	331, 390				
191	A bill to amend the charter of the Richmond and Terre Haute rail road company,	224	330, 431				
192	A bill to regulate the signing of bills of exceptions in the circuit court,	224	330, 396	441	578		667
193	A bill for the benefit of the county auditor of Grant county,	224	331	373	546		660
194	A bill to repeal an act entitled an act to confine voters to their respective townships.	224	331				
195	A bill to provide for the taxing of estate in dower,	240	316	361	546		667
196	A bill for the relief of J. & E. L. Beard,	243	338	373	418	511	544
197	A bill to amend article 8, chapter 13, Revised Statutes of 1843,	247	362	373			

198	A bill to authorize the county commissioners in Jay county to borrow money,	247	362	362	546		662
199	A bill for the relief of James H. Kintner,	247	363	363	546		618
200	A bill for the relief of Robert Earl,	248					
201	A bill to divorce Mary Caughman from her husband William E. Caughman,	248	363, 395				
202	A bill to prevent the sale of spirituous liquor in the town of Rushville,	249	363	363	546		667
203	A bill to incorporate the Richmond and Hagerstown turnpike company,	249	363	363	546		661
204	A bill for the relief of certain persons therein named	249	363	363	546		665
205	A bill for the relief of John Kerney and to authorize him to sell certain real estate,	249	250	250	359		551
206	A bill to incorporate the Steuben county medical society,	250	364	364	546		665
207	A bill to incorporate the Wildcat turnpike company,	250	364	364	546		
208	A bill in relation to certain school lands in Floyd county,	250	317				
209	A bill to authorize the —— to build a bridge across the bayou near Hindustan,	257		364	546		661
210	A bill to legalize the acts of the auditor of Steuben county, for the year 1847,	256	257	257	359		551
211	A bill to revive an act entitled "an act to incorporate the Crawfordsville and Wabash rail road company,"	259	364	364	545		660
212	A joint resolution declaratory of the meaning of an act entitled "an act to provide for the funded debt of the state, and for the completion of the Wabash and Erie canal,"	259	497	537	657		

BILLS OF THE SENATE—*Continued*

Number.	TITLE.	*First Reading.*	*Proceedings before passage.*	*Passed Senate.*	*Passed House.*	*Other proceedings.*	*Approved.*
213	A bill to authorize Rhodwick M. Miller to relinquish certain school lands,	259	370	441	576		619
214	A bill to incorporate the Moresville branch rail road company,	259	364		545		623
215	A bill in relation to the dam and water power on the Central canal in Morgan county,	260	364, 431		578		
216	A bill to authorize the Madison and Indianapolis rail road company to take stock in other companies	260	364				
217	A bill to incorporate the Wayne county turnpike company,	260	379	441	578		
218	A bill to incorporate the Fairview academy,	260	379	441	579		667
219	A bill to authorize the improvement of Tanner's creek, in Dearborn county,	260	379	441	578		665
220	A bill in relation to the law prohibiting the Indians from selling lands in this state,	260		361	546		
221	A bill for the relief of widows and orphans,	260	311, 379	441	546		667
222	A bill entitled "a code of practice,"	260	426, 481				
223	A joint resolution relative to a harbor at Michigan City,	261	380	442			

224	A bill to incorporate the Fort Wayne and Goshen turnpike company,	261	380, 421	441	578		
225	A bill concerning certain claims therein named,	261	380				
226	A joint resolution in regard to Gen. Zachary Taylor,	261	426	442			
227	A bill relative to water power on Central canal,	261	464	464			
228	A bill to incorporate the Lake Michigan, Logansport and Ohio rail road company,	261	281, 311	361	521		
229	A bill fixing the compensation of probate judges in Ripley county,	261	261	261	657		665
230	A bill to vacate a certain street in the town of Bloomington,	275	465	465	578		666
231	A bill to annex a portion of the territory of the county of Benton to the county of Tippecanoe,	275	465				
232	A bill to repeal a certain act therein named, in relation to loaning school fund,	276	465, 529				
233	A bill to incorporate the Chamberlain cotton mills,	276	465	466	596		659
234	A bill to amend an act entitled "an act to incorporate the White Water valley canal company,"	276	466, 537	537	620	653	
235	A bill to repeal an act entitled "an act to repeal an act incorporating Greensburg."	278	278	278			
236	A bill to aid in the settlement of the estate of John Sims,	289	289, 309	361	546		551
237	A bill to authorize the commissioners of Jay county to assess an additional tax,	290	466	466	578		661
238	A bill to incorporate the Ohio and Mississippi telegraph company,	290	291, 310, 361	370	546		581
239	A bill concerning the distribution of the laws and journals in Bartholomew county,	294	466	466	578		661

BILLS OF THE SENATE—*Continued.*

Number.	TITLE.	First Reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other proceedings.	Approved.
240	A bill to incorporate the Tippecanoe bridge company,	294	436	436	521		536
241	A bill to authorize the sale of section 16, in township 28, north of range 8 east,	294		295	578	467	667
242	A bill to prevent the sale of spirituous liquors in Wayne and Franklin townships, Wayne county, in less quantity than ten gallons,	295	467	467	572		
243	A bill amendatory to an act entitled "an act to incorporate the White Water valley canal company,	305	305, 316	316	340		358
244	A bill to extend the February term of the Probate court for Bartholomew county,	307		361	546	441	665
245	A bill relative to the collection of taxes in Bartholomew county,	311	467	467	578		661
246	A bill to locate a State road in the counties of Adams, Allen, and Jay,	311	467	467	578		
247	A bill enjoying certain duties on the prosecuting attorney of 12th judicial circuit,	312	467				
248	A bill to locate a State road from Logansport in Cass co., to Winnemac in Pulaski county,	313	467	467	604		660

249	A bill to prevent vexatious prosecutions,	313	467				
250	A bill supplemental to an act entitled an act to fix the time of holding courts in the 8th judicial circuit,	314	467	467			
251	A bill to incorporate the Fort Wayne and Southern Railroad company,	314	476	470	578		
252	A bill to incorporate the Harrison township and Abington turnpike company,	314	476	470	578		666
253	A bill giving the commissioner of the reserved township, in Monroe county, a compensation for certain services therein named,	314	470	470	578		660
254	A bill amendatory to the laws in regard to writs of *ad quod damnum*,	314	470	470	578	654	
255	A bill to incorporate the Cannelton Steam Mill Manufacturing Company,	314	470	470	578		661
256	A bill to incorporate the Mount Vernon and New Harmony railroad company,	314	471	471	579		661
257	A bill to regulate the practice of law in the Lagrange circuit court,	314	328	328	579		661
258	A bill to amend "An act to incorporate the Brookville and Connersville turnpike company,	314	471	472	579		665
259	A bill to impose additional duties on the prosecuting attorneys in the 12th judicial circuit	314	472				
260	A bill to authorize Thomas Hamilton to build a mill dam across the St. Joseph river,	314	472	472	579		661
261	A bill to amend the charter of the Milford and Columbus railroad company,	314	472	472	579		
262	A bill for the relief of A. Bird,	326	472	472	579		

Number.	TITLE.	*First Reading.*	*Proceedings before passage.*	*Passed Senate.*	*Passed House.*	*Other proceedings.*	*Approved.*
263	A bill to incorporate the Demosthenian society of Franklin college,	328	328	328	546	635	659
264	A bill to incorporate the Lyceum of Wabash college,	329		329	546		
265	A bill to authorize the commissioners of Daviess county to employ a physician,	329	472	472	579		880
266	A bill for the relief of Margaret Wade,	329	329, 397	442	579		660
267	A bill to authorize the sale of school section belonging to township 21 north, of range 5 west, of Tippecanoe county,	329	472	472	579		660
268	A bill authorizing the sale of the old Indiana State Prison,	352	472	472	579		661
269	A bill to amend chapter 46 Revised Statutes 1843,	353					
270	A bill to incorporate the Cincinnati and St. Louis railroad company,	353	422, 424, 430	449			
271	A bill for the relief of John S. Watts,	354	355	400	546		618
272	A bill relative to the city of Indianapolis,	355	355, 369	369			
273	A bill supplimental to an act entitled "an act to amend an act entitled 'an act for the relief of purchasers of canal lands,'"	355	355, 398, 418	443	579		

274	A bill to change a certain State road in the county of St. Joseph,	371	472	472	579		666
275	A bill extending the provisions of the 16th section Revised Statutes 1843, to Lagrange county,	371	473	473	579		661
276	A bill to amend an act therein named,	372	372	372	546		623
277	A bill relating to auditors and treasurers,	373	473	473			
278	A bill to incorporate the Trustees of the Owensville Public House,	372	372	372	546		618
279	A bill to provide for assessing and paying damages occasioned by the construction of the Wabash and Erie canal,	372	273				
280	A bill to authorize the construction of plank roads,	401	474	474	579		661
281	A bill to incorporate the Wabash and Granville railroad company,	403	474	474	579		667
282	A joint resolution in relation to the contract between the State of Indiana and her bond-holders,	406	474	474	579		667
283	A bill to amend an act, declaratory of and to amend an act, authorizing Joseph Quinn and John Norvel to erect toll bridges,	409	409	409	546		
283	A bill dissolving the bonds of matrimony between David Etherton and Mary Ann Etherton,	422	474	275			
284	A bill to change the name of the town of Springfield, in Wabash county,	422	474	474	579		662
285	A bill for the benefit of the reserved township of seminary lands in Monroe county,	423	423	423	579		667
286	A bill to regulate the testimony in certain cases in the conveyance of real estate,	423	423, 478	478			
287	A bill in relation to the New Albany and Vincennes turnpike road,	423	423, 554	555	597		661

Number.	TITLE.	*First Reading.*	*Proceedings before passage.*	*Passed Senate.*	*Passed House.*	*Other proceedings.*	*Approved.*
288	A bill to correct a mistake in the commission of justices of the peace in Hanover township,	423	423	423	579		623
289	A bill to authorize the board of commissioners of Allen county to sell certain real estate,	423	423	423	579		
290	A bill to fix the salery of the trusteees of the Wabash and Erie canal,	423	423				
291	A bill to authorize the administrators of John Fischlie to sell certain estate,	423	424, 481, 525	525			
292	A bill to locate a state road therein named,	433	475	475	579		666
293	A bill to incorporate the town of Patriot,	433	433	433	546		665
294	A bill to incorporate the town of Bloomington,	436	436	436			
295	A bill in relation to mortgages due the Treasury fund and the Indianapolis fund,	438	438, 478	478	598		666
296	A bill for the relief of replevin bail,	438	438, 480	480	604		665
297	A bill to change the time of holding the Cass circuit court,	438	480				
298	A bill in relation to the New Albany and Salem Railroad Company,	438	438	438	546		

299	A bill to authorize the county commissioners of Adams county to employ a prosecuting attorney,	438	438	438	546		618
300	A bill to increase the power of the county board in Blackford county,	439	439	439	656		666
301	A bill to restrict the county commissioners of Steuben county in levying a tax to fifty cents on one hundred dollars' valuation,	439	439	439	580		666
302	A joint resolution of thanks to our officers and soldiers who have been and are now in Mexico,	439	475	475		541	
302	A bill making provisions for the payment of witnesses who attended before judiciary committee during the present session,	452	452	452	501		510
303	A bill to revive an act entitled "An act incorporating the Covington and Illinois Railroad Company,"	464	492	492	596		666
304	A joint resolution relative to international literary exchanges,	470	470	470	546		581
305	A bill for the relief of the sureties of Wm. Johnson,	495	495	496	580		667
306	A bill legalizing the sale of lands delinquent for the payment of taxes in Adams county,	504	504				
307	A bill to amend an act entitled "An act to authorize the formation of voluntary associations,"	504	504	504	580		661
308	A bill amendatory of an act entitled "An act to incorporate the Rushville and Lawrenceburgh Rail Road Company,	504	504	504	580		667
309	A bill for the benefit of the widow of William H. May, deceased,	504	504	504	656		667
310	A bill to grant a divorce to Allen Gibbons and Susan Gibbons,	505	505	537			

Number.	TITLE.	First reading.	Proceedings before passage.	Passed Senate.	Passed House.	Other proceedings.	Approved.
311	A joint resolution concerning the flag 2d regiment Indiana volunteers,	505	505	505	594		665
312	A bill to establish a certain State road therein named,	506	506	506	626		665
313	A bill to authorize clerks of courts having a seal to take acknowledgments of deeds in other States,	506	506, 601				
314	A bill concerning incorporated companies in the State of Indiana,	506	506, 585				
315	A bill relative to pedlars' license,	506	506, 526				
316	A bill to incorporate the Indiana Iron Manufacturing Company,	509	509	651	651		667
317	A bill to amend an act entitled "An act for the relief of Elias Murray,"	509	509, 534	550	681		659
318	A bill explanatory of an act entitled "An act to amend an act for the benefit of volunteers in Mexico,"	509	509	509	652		667
319	A bill to amend an act entitled "An act to authorize the formation of voluntary associations,"	510	510	510	580		666

320	A bill to amend an act entitled "An act to incorporate the Junction Railroad Company,	523	523	523	547		666
321	A bill to provide for repairing the building on the Governor's circle,	540	540	540	619		665
323	A bill in relation to the Ohio and Indianapolis Rail Road Company,	550	550	550	653		
324	A bill granting certain powers to the probate court of Dearborn county,	568	568	568	619		667
325	A bill to change the name of Joseph Abrams to Joseph Abrahams,	573	573				
326	A bill to allow parties to take depositions in actions at law after injunction is granted,	580	580	580	657		666
327	A bill for the relief of the ex-commissioner of Delaware county,	580	580	580	657		665
328	A bill to amend an act to improve Lost river, in Martin county,	585	585	585	625		
329	A bill relative to the counties of Carroll and Clinton,	589	589	589	649		665
330	A bill to define the time when a certain act herein named shall take effect and be in force,	589	589	589	649		666
332	A bill releasing the right of the State to certain land in Hancock county which was acquired by escheat,	599	599	599	657		667
333	A bill for the relief of the heirs of Ezra Smith, deceased,	599	599	599	657		
334	A bill to authorize the county commissioners of Warren county to establish an additional place of holding elections in Medina township,	600	601	601	657		
335	A joint resolution in relation to making compensation to the Adjutant General of the State,	603	603	603	657		665

Number.	TITLE.	*First reading.*	*Proceedings before passage.*	*Passed Senate.*	*Passed House.*	*Other proceedings.*	*Approved.*
336	A joint resolution relative to the Insane Hospital,	609	609, 622				
340	A bill to authorize the Treasurer of State to draw the State's dividend in the Madison and Indianapolis railroad, ...	622	622	622	657		665
341	A bill supplementary to an act entitled "An act to incorporate the Indianapolis and Bellfontaine Railroad Company,"	629	629	629			
342	A bill to repeal an act therein named, . . .	637	637	637			
344	A bill supplementary to an act incorporating the Indianapolis and Bellfontaine railroad company,	637	637	637	649		667

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other proceedings.
1	A joint resolution relative to the reduction of postage on newspapers and periodicals,	234	234	362	379	612
2	A bill to authorize the treasurer, auditor, and Governor to borrow money to pay the interest on the funded debt,	33	33	48, 52, 61, 67	69	70
3	A bill for the collection of taxes in the county of Lake for the year 1847,	25	25	25	25	33
4	A bill to amend an act, entitled "An act to establish a State road on the dividing line of De Kalb and Steuben counties,	234	234	331	376	612
5	A bill to change the time of holding probate court in Clark county,	234	234		376	612
6	A bill to authorize the sale of certain school lands in Franklin county,	234	234	331	376	548
8	A bill to provide for assessing and collecting a road tax on lands and town lots in Madison county,	234	234	331	376	548
9	A bill granting Rising Sun a city charter,	199	200	211	211	257
10	A bill to change the terms of the Daviess probate court,	234	234	361	362	
11	A bill providing for the sale of certain school lands in Dearborn county,	235	235	331	376	548
12	A bill to enable the supervisors of Scott county to make their returns to the county board,	231	231	331	376	548
13	A bill to extend the time for the final payment of certain school lands in Miami county,	235	235	331	377	461
14	A joint resolution to postpone the public sales of land in the Miami Reserve,	234	234			
15	A bill explanatory of an act, entitled "An act defining the duties of treasurers,"	231	332	394, 478		
16	A bill to amend an act compelling speculators to pay a road tax equal to that paid by settlers,	235	235	332	377	434
17	A bill explanatory of the meaning of 159th section, chapter 47, Revised Statutes of 1843,	185	237	332, 396		
18	A bill to amend the 137th section, article 3, chapter 45, Revised Statutes of 1843,	498	499	499		
19	A bill to repeal an act in relation to horses and jackasses,	235	236		266	275
20	A bill declaring a misprint in an act to amend the practice of the probate court,	235	235	332, 396	443	611
21	A bill to authorize the Dearborn probate court to make certain orders and decrees therein named,	231	232	398	443	612
22	A bill for the relief of the surplus revenue fund in Dearborn county,	235	236	332	377	548
23	A bill to locate a State road in the counties of Allen and De Kalb,	185	186	248	352	612
25	A bill explanatory of an act, entitled "An act to secure to Ohio county a share of the common school and surplus revenue fund,"	185	185	206	206	225
26	A bill to authorize the voters of Jefferson township, Kosciusko county, to vote at any adjoining poll in the county,	582	582	582, 589	589	

BILLS OF THE HOUSE—*Continued.*

Number.	TITLE.	*Received from House.*	*First Reading.*	*Proceedings before passage.*	*Passed Senate.*	*Other proceedings.*
27	A bill authorizing the revaluation of lands in Monroe and Irvin townships, Howard county,	185	237	332, 367	443	552
28	A bill declaring a certain word in section 43, chapter 16, Revised Statutes of 1843, a misprint,	185	237	332, 421	421	552, 612
29	A bill granting additional compensation to the probate judge of St. Joseph county,	236	237	332	337	552, 611
30	A joint resolution in relation to increasing the clothing and pay of non-commissioned officers and privates of our army in Mexico,	236	236	332, 368	443	610
31	A bill relative to the probate judge in Porter county,	185	237	333, 398	443	610
33	A bill to amend an act, entitled "An act to incorporate College Corner and Liberty and the Liberty and Abbington Turnpike Company,"	199	237	350	379	502
34	A bill to change mode of electing com'ers in Pike county,	498	499	499	499	521
36	A bill authorizing the board doing county business in Orange county to dispense with road tax,	200	237	333, 369	369	612
37	A bill to incorporate the Connersville Hotel Company,	200	237	333, 349	379	594, 640
39	A bill to amend an act, entitled "An act granting to Evansville a city charter,"	236	236		271	390

40	A bill to encourage the growth of cranberries in Allen Co.	200	237	333, 433	443	587, 640
41	A bill for the election of township asssessors in the counties therein named,	557	558	558	558	158, 655
42	A bill to provide for the selection of petit jurors in Warren county,	200	237	333	377	548
43	A bill for the relief of Dorothy Owens,	200	237	333, 394	443	615
44	A bill relative to elections in Jackson county,	573	573	573	573	
45	A bill to extend the jurisdiction of justices of the peace in Lake and Porter counties,	200	237	333	377	612
46	A bill to fix the time for probate court in Putnam county,	200	237	333	377	612
47	A bill to provide for electing supervisiors by districts in Miami and Montgomery counties,	185	237	333	377	552, 642
52	A bill for the selecting of jurors in Delaware county,	200	237		377	548
53	A bill to locate a State road therein named,	185	237	420		
54	A bill for the relief of the executors of Samuel Glass,	75	75			
55	A bill for the relief of Collins Adams,	200	237	333, 477	477	547
56	A bill to provide for the improvement of common schools,	507	507	528, 553, 574	575	655
57	A bill to incorporate the Brownstown and Scipio Railroad Company,	231	232	333, 350	379	552
58	A bill to authorize Sam'l. S. Millikin to build a mill dam across the Salimonia river,	70	70			
59	A bill to authorize the trustees of school districts No. 1 Elkhart county, to levy an additional tax,	200	237	333	377	612
60	A bill to incorporate the Madison aud Brownstown Turnpike Company,	231	232	362	362	
61	A bill to authorize the trustees of school district No. 5, St. Joseph county, to raise an additional tax,	200	237	333	378	434
62	A bill to incorporate the Botanic Medical Society, Decatur county,	200	237	333	378	548

Number.	TITLE.	*Received from House.*	*First Reading.*	*Proceedings before passage.*	*Passed Senate.*	*Other proceedings.*
63	A bill extending the terms of the probate court in Madison county,	231	232	362	362	
64	A bill to incorporate the Laporte Female Seminary,	200	237	333	378	548
66	A bill to abolish school commissioner in the county of Floyd,	200	237	333, 355	355	613
67	A bill to incorporate the Attica and Warren County Bridge Company,	231	232	362	362	434
68	A bill leaving it discretionary with the commissioners of Delaware county, what compensation to allow supervisors,	200	237	334, 353	379	434
71	A bill to amend 22d section of Revised Statutes of 1843,	200	237	334	378	435
74	A bill regulating special elections, ordered by the Governor,	151	151	174	266	612
75	A bill relating to the road tax in Posey county,	200	237	334	378	435
76	A bill to amend an act entitled an act to authorize the people of Fayette county to elect seminary trustees,	200	237	335, 401	402	461
81	A bill to regulate agencies of Foreign Insurance Companies,	231	232	362, 399	443	552, 643
83	A bill for the relief of James Hardin,	235	235	335	377	434

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84	A bill regulating actions of ejectment,	231	232	449		
85	A bill to legalize the sale of real estate by Peter Navano, Junior,	231	232	449	449	542
86	A bill to reduce the law incorporating the city of Madison and the several acts amendatory thereto, in one act,	233	233	450	450	569
87	A bill fixing the time of holding circuit courts in Marion county,	87	87	87	87	134,233,263
89	A bill to incorporate the Kosciusko, Elkhart, and Miami railroad company,	498	499	499	499	[604,655 529,612
90	A bill to incorporate the South Bend woolen and cotton manufacturing company,	231	232	450	450	542
91	A bill concerning State library,	231	232	450	450	549
92	A bill fixing jurors' fees before justices' courts in the county of Delaware,	231	232	456	456	549
93	A bill to amend an act to authorize the people of the several counties to prohibit the retailing of liquor,	231	232	457	452	549
96	A bill to change the venue in the case of the State against Willis M. Miller,	236	237	335	335	354,612
97	A bill to incorporate the town of New London,	231	232	457	457	549
98	A bill to incorporate the town of Peru,	236	236	379	379	612
99	A bill in regard to the bonds of county officers,	589	590	590, 607	607	656
102	A bill to incorporate the Liberty and Brownstown turnpike company,	231	232	457	457	548
103	A bill in relation to the fees of the treasurer of Owen county,	409	409	409	409	548
105	A bill to change the name of Ellen Narcissa Brown, to Ellen Maria Graham,	199	199	303	321	340
106	A bill lopping off all extra allowance to the clerk and sheriff of Delaware county,	231	232	457	457	548

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Number.	TITLE.	*Received from House.*	*First Reading.*	*Proceedings before passage.*	*Passed Senate.*	*Other proceedings.*
107	A bill in relation to the taking of a list of children in Perry county for school purposes,	500	500	506	506	522
110	A bill for better securing the titles of Spencer and Dubois counties,	231	232	457	457	549
111	A bill to authorize the auditor to subscribe additional stock in the Madison and Indianapolis railroad company,	127	127	132		
112	A bill to amend an act regulating the mode of doing township business in Elkhart county,	231	232	456	456	548
113	A bill authorizing the location of a State road in Posey county,	235	235	457	457	542
114	A bill to authorize the inspection of hay in the several counties in this State,	498	499	499	499	613
115	A bill regulating the salary of the auditor of Putnam county,	231	232	458	458	542
116	A bill to regulate clerk's fees in the probate court of Jackson county,	232	232	457	458	548
117	A bill relative to the charter of the city of Indianapolis,	232	232	458	458	479
119	A bill to incorporate the Taylor cotton mill,	232	232	450	450	548
120	A bill to incorporate the Perry cotton mill,	232	232	450	450	549
121	A bill to incorporate the Cannelton glass manufacturing company,	232	232	451	451	549
122	A bill to incorporate the Cannelton paper mill,	232	232	451	452	548
123	A bill to incorporate the Ward cotton mills,	232	232	452	453	548
124	A bill to incorporate the Indiana cotton mills,	232	232	453	453	548
125	A bill to incorporate the Cannelton cotton mills,	232	232	453	454	548
126	A bill to incorporate the Cannelton foundry,	232	232	454	454	
127	A bill to incorporate the Princeton female academy,	232	232	454	455	552, 643
128	A bill granting the town of Aurora a city charter,	232	232	455, 487	487	596
129	A bill to repeal a certain act therein named,	232	232	455	455	552, 612
130	A bill to legalize the acts of the president and trustees of the town of Rising Sun,	232	232	455	455	542
131	A bill to change the name of Ebenezer B. Twitchell,	232	232	455	455	
132	A bill for the relief of Mary M. Goodrich,	232	232	456	456	542
133	A bill to extend the jurisdiction of justices of the peace in Fulton and Marshall counties,	232	232	456		
134	A bill to authorize the officers of Miami county to make a deed to Jacob Brower,	232	232	456	456	542
135	A bill to vacate certain streets and alleys therein named,	232	232	456, 486		
136	A bill for the relief of Simon and John Bottorff,	514	518	518, 529	530	615
137	A bill to postpone the time of returning lands and town lots delinquent in the county of Grant,	142	142	142	164	164
139	A bill to amend an act entitled "An act to repeal an act more effectually to enable supervisors to open and keep in repair public highways,	232	232	456	456	542
141	A bill in relation to the tax duplicate of Jefferson county for the year 1847,	232	232	456	456	542
142	A bill to incorporate the Centreville and Abbington Turnpike Company,	232	232	458	458	542

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other Proceedings.
144	A bill fixing the times of holding courts in the 3d judicial circuit,	164	164	164	164	180
145	A bill for the relief of tax payers in certain counties therein named,	236	236	254, 309	310	359, 552, 62
146	A bill to incorporate the Indiana Canal Company,	232	232	458, 492	492	552, 615
147	A bill to incorporate the Madison, Lexington, and Brownstown Turnpike Company,	232	232	458	458	548
149	A bill for the relief of Charity Forden,	235	235	458	458	542
150	A bill to incorporate the Clay Cotton Mills,	410	410	412	444	611
151	A bill changing the time of holding courts in Jefferson, Switzerland, and Ohio counties,	199	199	199	199	
152	A bill amendatory to an act entitled "An act giving further time for the settlement of the revenue of Delaware county,	315	315	315	315	340
153	A bill to authorize William Horner to convey certain real estate,	514	518	518, 602	602	655
154	A bill to re-locate part of the State road from Harrison to Indianapolis,	514	518	518 529,	529	655
155	A bill vacating a certain State road therein named,	514	518	518	518	614

156	A bill to repeal an act providing for the election of supervisors in the counties of Dearborn, Jefferson, and Spencer,	514	518	518	519	597, 642
157	A bill to locate a State road in the county of Posey,	514	518	518	518	542
158	A bill to locate a State road in the counties of White and Carroll,	514	518	518	518	611
159	A bill to incorporate the Madison and Cross Plains Turnpike company,	514	518	518	518	611
160	A bill to incorporate the German Evangelical St. John's Church,	514	518	518	518	611
161	A bill to revise the road laws in Lake and Porter counties,	514	518	518	518	612
162	A bill to locate a State road in Madison and Hamilton counties,	514	518	518	518	611
163	A bill to provide for the election of township collectors and assessors in the county of Jennings,	500	501	501	537	
164	A bill to repeal an act therein named,	514	518	518	518	611
165	A bill to vacate a part of the town of Hagerstown,	514	518	518	518	611
166	A bill declaring a misprint in the the 1st Sec. of an act of 1837, in relation to the surplus revenue agent of Perry county,	514	518	518	518	612
167	A bill to change the name of Melissa Davis to Miss Melissa Emeline Miller,	515	518	518	518	614
168	A bill to authorize Nottingham Mercer to build a mill dam across the Wabash river,	515	518	518	518	612
169	A bill to incorporate the Jasper County Iroquois Navigation and Manufacturing Company,	515	518	518, 530	531	570, 642
170	A bill to locate a State road in the counties of Laporte and St. Joseph,	515	518	518	518	610
172	A bill to authorize John Webster to build a mill dam across the St. Joseph river,	515	518	518	518	611

BILLS OF THE HOUSE.—*Continued.*

Number.	TITLE.	*Received from House.*	*First Reading.*	*Proceedings before passage.*	*Passed Senate.*	*Other proceedings.*
173	A bill to repeal an act vacating part of the town of Milford,	515	518	518	518	612
174	A bill to legalize the assignment of a certificate of certain school land in Morgan county,	515	518	518	518	655
175	A bill to authorize a change in the Strawtown and Peru State road, in Hamilton county,	515	518	518	518	611
176	A bill in relation to roads in De Kalb county,	515	518	518	518	640
177	A bill to legalize the assignment of a certificate for school lands therein named,	515	518	518	518	593
178	A bill to authorize the sale of a certain town lot therein named,	515	518	518	518	661
179	A bill to authorize Peter Wise to build a mill-dam across White river,	515	518	519, 556	556	625
180	A bill to repeal part of an act authorizing the State Bank to lay off, plat, and record in lots certain lands near South Bend,	515	518	518	518	593
182	A bill to legalize the assignment of a certificate for school land in Morgan county,	515	518	518	518	593
184	A bill to vacate certain enlargements in the city of Evansville,	515	518	518	518	614

185	A bill to form a new school district from school districts number one and four, congressional township number two north, of range two east,	515	518	518	518	640
186	A bill to legalize the proceedings of the board of commissioners in Boone county,	515	519	519		
187	A bill to locate a State road from Bedford, by Clear Spring, to Columbus,	515	518	518	518	615
188	A bill to authorize officers of Morgan county to make a deed to William Berry,	515	518	518	518	655
189	A joint resolution inviting Major General Zachary Taylor to visit Indiana,	515	519	519		641
190	A joint resolution to consolidate the Winnemac, Ft. Wayne, and Indianapolis Land Offices,	515	519	519		
191	A bill for purposes therein named,	516	518	518, 633		
192	A bill in relation to the pay of grand and petit jurors in certain counties,	516	518	518	518	573
93	A bill to authorize the auditor of Hendricks county to sell certain real estate,	516	518	518	518	593
195	A bill to provide for the construction of a railroad from Martinsville to Point Commerce,	516	518	518	518	615
196	A bill for the construction of the Aurora and Laughery Turnpike,	516	518	518	518	623
197	A bill to construct a turnpike from Mooreshill to Aurora,	516	518	518	518	
198	A bill in relation to school funds in the county of Daviess,	516	518	518	518	593
200	A bill repealing an act therein named,	516	518	518	518	611
101	A bill to provide for taking the sense of the State on calling a convention to amend the constitution,	634	634			
202	A bill to confirm a deed to the Methodist Church at Carlisle, Sullivan county,	516	518	518	518	641

Number.	TITLE.	*Received from House.*	*First reading.*	*Proceedings before passage.*	*Passed Senate.*	*Other procedings.*
204	A bill relative to the sureties of the justices of the peace,	516	518	518, 601		
206	A bill to authorize the sale of lots in the town of Brownstown for delinquent taxes,	516	518	518	518	615
207	A bill repealing part of section 233, of chapter 30, of the Revised Statutes of 1843,	571	571	571	571	640
208	A bill to extend the time of holding commissioners' court of Boone county,	516	518	518	518	641
210	A bill to change the name of Bazaliel Thomas to Bazil Thomas,	516	518	518	518	610
211	A bill authorizing the board of commissioners of Madison county to do a certain act,	498	499	499	499	614
212	A bill authorizing Albert A. Siddall to sell certain stone in Madison county,	571	571	571	571	640
213	A bill to amend chapter 28 of the Revised Statutes of 1843, relative to the acknowledgement of deeds and other instruments of writing,	589	590	590, 604		
214	A bill to provide for the improvement of the town of Williamsport,	516	518	518	518	611

215	A bill to revive and amend an act relative to the Covington draw bridge,	571	571	571	571	591, 641
216	A bill to authorize the clerk of Sullivan county to sell certain lots therein named,	576	578	518	518	611
217	A bill to abolish the office of school commissioner in the county of St. Joseph,	407	407	407	407	461
S218	A bill to amend the act incorporating the Lawrenceburgh and Rushville Turnpike company,	498	499	499	499	522
219	A bill to repeal an act entitled an act defining the duties of county treasurers,	233	234	458		611
220	A bill to amend an act entitled "An act appointing commissioners to make partition of the real estate of Stephen S. Collett, late of Vermillion county,"	216	518	518	518	
221	A bill relative to the probate court of Monroe county,	440	440	440	440	
222	A bill to authorize the sale of certain lots in Indianapolis,	591	592	592, 623		
223	A bill to amend an act entitled "An act to provide for constructing a railroad from Martinsville to Franklin,"	500	500	500	500	547
224	A bill authorizing the boards doing county business to continue in session ten days at their March and June terms,	516	519	519	519	597, 643
225	A bill authorizing county auditors to take acknowledgments of deeds in certain cases,	516	518	518	518	593
226	A bill in relation to constables,	589	590	590, 605		
227	A bill to extend the time for supervisors to work their roads in Spencer county,	573	573	573	573	640
230	A bill to authorize the county auditor and treasurer of Sullivan county to make set-offs in certain cases,	570	570	570	570	641
231	A bill to enable the auditor of St. Joseph county to make a deed in certain cases,	516	518	518	518	593

Number.	TITLE.	Received from House.	First reading.	Proceedings before passage.	Passed Senate.	Other proceedings.
232	A bill declaring the meaning of an act to amend an act amendatory to an act incorporating Michigan city,	516	518	518	518	
234	A bill to require the trustees of the Indiana University to report to the General Assembly,	590	591	591	591	615
235	A bill to authorize Sarah Shannon to convey certain real estate,	516	518	518	518	612
236	A bill amendatory of the laws now in force relative to descedents' estate,	571				
237	A bill to legalize the vacating of certain lots and alleys in South Bend,	516	518	518	518	612
238	A bill to legalize the acts of Michael Sheil, justice of the peace in Hamilton county,	516	518	518	518	612
240	A bill in relation to road tax in Howard county,	517	518	518	518	612
241	A bill to amend article 5, chapter 45, of the Revised Statutes of 1843,	590	590	590, 607	607	660
242	A bill to authorize John Secrest to build a mill dam across the Mississinewa river,	233	234	459	459	542
243	A bill to authorize the sheriff of Dearborn county to use the jail at Wilmington,	517	518	518	518	611

244	A bill to incorporate the Madison Hotel Company,	233	234	459	459	548
245	A bill for the relief of Joseph Pratt,	473	473	493, 497	497	615
246	A bill reducing the fee for recording deeds in Delaware county,	517	518	518	518	611
247	A bill to revive an act incorporating the town of Muncie, in Delaware county,	517	518	518	518	611
248	A bill authorizing county auditors to make deeds in certain cases,	517	518	518	518	611
249	A bill to regulate and organize the militia of the State of Indiana,	408	408	409		
251	A bill to reappraise the Wabash and Erie canal lands,	591	592	592		
252	A bill to amend an act entitled "An act to amend an act entitled 'an act for the benefit of persons who are likely to suffer by the destruction of records of Miami county,'"	517	518	518	518	610
253	A bill to amend section 4, chapter 4, Revised Statutes 1843,	517	518	518, 602		655
254	A bill authorizing the probate court of Marion county to order deeds to be made for certain lots in Laporte,	517	518	518	518	611
255	A bill to vacate a part of the Indianapolis and Centreville State road,	517	518	518	518	611
256	A bill for the relief of Robert Brown,	517	518	518, 602		
257	A bill incorporating the Celebration Spring Steam Mill Company,	517	519	519, 530	578	640
259	A bill to locate a State road in the counties of Franklin and Ripley,	517	518	518	518	611
260	A bill authorizing the auditor of Franklin county to sell certain school lands,	517	518	518	518	611
262	A bill to vacate a certain street in the village of Byron,	517	518	518	518	611
263	A bill to amend the charter of the Indiana Medical College,	517	518	518	518	642

BILLS OF THE HOUSE—*Continued.*

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other Proceedings.
264	A bill declaring Scott Noel the successor in office of Robert M. Gilkinson,	233	234	459	459	549
265	A bill in relation to a certain State road in the county of Daviess,	233	234	459	459	548
267	A bill to change the name of Charlotte Leggett Fox Dubois,	577	518	518	518	593
268	A bill to incorporate the town of Winchester, in Randolph county,	592	592	592	592	655
269	A bill to vacate the streets, alleys, and town lots of Georgetown,	517	518	518	518	
270	A joint resolution on the subject of mileage,	517	520	520		
271	A joint resolution relative to the claim of Col. Francis Vigo,	234	234	234	234	259
273	A bill to provide for a county library in the county of Pulaski,	407	407	459	459	548
274	A bill to amend an act, entitled "An act in relation to the service of subpœnas in chancery,"	407	407			
275	A bill to repeal an act therein named,	517	517	520, 532	532	651
276	A bill to amend the 5th and 6th sections of the first article of the 55th chapter of the Revised Statutes of 1843,	634	634	634, 635		

277	A bill to authorize the alteration of a certain road therein named,	408	408	409	409	434
278	A bill to improve the lands in the county of Switzerland,	408	408	409	409	548
279	A bill to authorize John D. Johnson to correct a mistake in a certain deed,	408	408	409	409	461
280	A bill to change a certain State road therein named in Jackson county,	408	408	409	409	549
S 64* 281	A bill to locate a certain State road therein named,	408	408	409	409	461
282	A bill to locate a certain State road therein named,	408	408	409	409	503
283	A bill to incorporate the Council Grove Minute Men,	408	408	409	409	503
284	A joint resolution of thanks to Captains Simonson and Ford,	409	409	410	444	611
285	A bill repealing the law in certain counties authorizing the clerks to receive pay for extra services,	590	590	590		
286	A bill to locate a State road in Clay and Owen counties,	408	408	409	409	461
287	A bill to amend article 11, chapter 30, Revised Statutes of 1843,	636	634	634, 636		
288	A bill to locate a State road in Allen and Wells counties,	408	408	409	409	503
289	A bill to regulate the sale of spirituous liquors in Floyd county,	517	520	520, 580	581	658
290	A bill to incorporate the Harrison, New Trenton, Rochescester, and Brookville Turnpike Company,	498	490	499	499	611
291	A bill to authorize the voters of certain townships to sell their school lands,	498	499	499, 527		550, 611
292	A bill to relocate a part of the Richmond and Logansport State road,	498	499	499	499	611
293	A bill to locate a State road therein named,	498	499	499	499	612
294	A bill to locate a State road in Allen and De Kalb counties,	498	499	499	499	614

BILLS OF THE HOUSE—*Continued.*

Number.	TITLE.	*Received from House.*	*First Reading.*	*Proceedings before passage.*	*Passed Senate.*	*Proceedings after passage.*
295	A bill regulating the sale of spirituous liquors in the town of Centreville,	498	499	499	499	614
296	A bill authorizing commissioners to lease the Seminary in Wayne county,	498	499	499	499	614
297	A bill to incorporate the town of Clinton, in Vermillion county,	498	499	499	499	
298	A joint resolution of sympathy with Pope Pius IX, for his efforts in behalf of liberal reform in his dominions,	498	499	499	499	547
301	A bill to incorporate the Cambridge City and Milton Turnpike Company,	498	499	499	499	612
302	A bill authorizing the State Librarian to purchase a portrait of Gen. George Washington,	412	412	497	537	
303	A bill to repeal part of an act to change the time of holding probate court in Ripley county,	557	558	558	558	
304	A bill to repeal a certain act therein named,	590	590	590, 606	606	
306	A bill to legalize the acts of the probate judges of Lagrange county,	498	499	499	499	547
307	A bill concerning the duties of clerks of the circuit courts,	498	499	499	499	547
308	A bill for the relief of Thomas M. Gibson,	520	520	520, 567	567	393

309	A bill defining the duties of the treasurer of Shelby county,	498	494	499	499	547
311	A bill providing for additional copies of the Revised Statutes in Kosciusko county,	498	499	499	499	547
312	A bill in relation to the duties of the auditor of state and commissioners of the sinking fund,	498	499	499	499	547
315	A bill to incorporate the Peru, Rochester, Plymouth and South Bend rail road company,	591	592	592	592	643
316	A bill amending section 453, chapter 30, of the Revised Statutes of 1843,	557	559	559		640
317	A bill in relation to the fees of the clerk of Sullivan county,	498	499	499	499	614
318	A bill for the relief Dempsey Linton,	498	499	499	499	614
320	A bill to reduce the fees of the clerk of the probate court in Knox county,	498	499	499, 585		
321	A bill to authorize the commissioners of Grant county to order an election for an additional justice of the peace,	498	499	499	499	614
322	A bill to authorize the commissioners of Dubois county to levy or dispense with the road tax, at their discretion,	499	499	499	499	612
324	A bill in relation to saline lands in this state,	649	649	649, 654	654	
325	A bill for the relief of Syria Aldrich,	499	499	499	499	657
326	A bill to amend the 76th section, chapter 15, article 3, of the Revised Statues of 1843,	499	499	499	499	612
328	A bill to regulate the taxing of costs on appeals from justices of the peace,	648	649	649		
329	A bill for the relief of purchasers of school lands in Carroll and Clinton counties,	499	499	499	499	613
333	A bill to provide for the survey and record of roads in Elkhart county,	499	499	499	499	613

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other proceedings.
333	A bill to authorize the sale of the library of Decatur county,	499	499	499	499	613
335	A bill to extend the provisions of a certain act therein named to Jay and Blackford counties,	499	499	499	499	547
337	A bill to authorize Mahala Proffitt to discharge the duties of administratrix of her late husband's estate,	315	316	316	316	340
338	A bill to change the time of inspectors of elections to make their returns,	517	520	520		
339	A bill to repeal the 4th section chapter 47, Revised Statutes of 1843, so far as relates to Elkhart county,	517	518	518	518	615
340	A bill declaring George W. Bowen successor in office to William Dehority,	499	499	499	499	547
344	A bill for the completion of the Indiana hospital for the insane,	434	434	487	487	547
347	A bill to vacate an alley in Cambridge City,	408	408	408	408	599, 434
348	A bill to impose additional duties on the prosecuting attorney of the 12th judicial circuit,	517	520	520, 587	587	660
349	A bill to change a part of the Indianapolis and Fort Wayne road, in Wells and Huntington counties,	592	592	592	592	643

350	A bill forming sections 4, 5, 6, 7, 8, 9, 16, 17, and 18, in township 14 north of range 6 east, in one school district	500	500	500	500	541
351	A bill to encourage the organization of fire companies,	592	592	592	592	643
352	A bill to incorporate the Lafayette, Monticello, Winemac, and Michigan City railroad company,	500	500	500	500	548
353	A bill to incorporate the Boonsville and Ohio river railroad company,	557	558	558	558	614
354	A bill to change the name of Wiliam Jackson to William Jackson Morgan,	592	592	592	592	643
355	A bill to authorize the commissioners of Elkhart county to direct the sale of certain school lands,	592	592	592	592	643
356	A joint resolution relative to the Indiana State Historical Society,	500	500	500	500	547
357	A joint resolution on the subject of the laws of Indiana territory for the years 1801, 1802, 1803, and 1804,	500	500	500	500	547
358	A bill providing for the payment of certain moneys to A. C. Alvord and Homer King,	412	412	413	477	503
359	A bill to establish an additional place of holding elections in Helt township, Vermillion county,	499	499	499	499	547
360	A bill to repeal the latter clause of the 6th section of an act in reference to the central canal,	590	596	590		
361	A bill authorizing Lebbeus Frisbro to build a bridge across Big Blue river,	499	499	499	499	613
362	A bill authorizing additional places of holding elections in Hamilton township, Jackson county,	633	633	633	633	
363	A bill to authorize the auditor of Vigo county to sell certain real estate,	518	518	518	518	
364	A bill to vacate the town of Florentine in Tippecanoe county,	518	518	518	518	641

BILLS OF THE HOUSE—*Continued.*

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other proceedings.
365	A bill to authorize John J. Woodard to convey certain real estate,	518	518	518, 601	602	615
366	A bill to provide for the refunding of payments to the purchasers at tax sales where the sale is invalid,	590	590	590, 602		
367	A bill to raise revenue for State purposes, for the year 1847,	550	550	551, 556	556	640
368	A bill for the relief of infant heirs and divisees,	649	649	649		
369	A bill in relation to deeds made by the clerks of circuit courts ex-officio, discharging the duties of auditors,	518	518	518, 602	602	
370	A bill for the benefit of widows,	518	518	520	520	598, 640
371	A bill for the relief of Silas Overman,	518	518	518	518	
372	A bill to authorize the construction of Morse's Electro Magnetic Telegraph,	461	461	531, 568	568	560
373	A bill to amend an act authorizing a company to construct a turnpike road from Cambridge City to Muncietown,	581	581	581	581	
374	A bill in relation to high waters in the county of Jackson,	591	592	592	592	643
375	A bill for the benefit of Michael Riley,	591	592	592, 622	623	647

377	A bill to revive and consolidate the several acts of Assembly in relation to laying out, changing, and vacating public highways, and the erection and repair of bridges,	649	649	649, 663		
378	A bill to establish a State road on a part of the line dividing the counties of Wayne and Randolph,	591	592	592	592	643
379	A bill making the side cut constructed by the Delphi storage and forwarding company, a part of the Wabash and Erie canal,	591	592	592	592	643
381	A bill to incorporate the town of Washington, Wayne county, Indiana,	591	592	592	592	643
382	A bill to incorporate the English, German, and Evangelical Lutheran St. Paul's Church,	591	592	592	592	643
383	A bill to incorporate the town of Eagle Village, in Boone, county,	591	592	592	592	643
384	A bill to incorporate the town of New Columbus in Madison county,	591	592	592	592	
385	A bill to better enable the citizens of the county of Hamilton to sell school lands,	573	573	573	573	641
386	A bill to incorporate the Mechanic's working men's Institute of Mount Vernon,	557	558	558	558	
388	A bill to establish a horse boat ferry across the Wabash river at the town of Williamsport,	557	558	558	558	
389	A joint resolution in relation to the improvement of the Iroquois river in the State of Indiana,	577	559	559	559	651, 655
390	A bill to vacate certain lots, alleys, and streets therein named, in the town of New Lawrenceburgh,	557	558	558	588	655
392	A bill to relocate a certain State road in the county of Clay,	557	557	557	557	640
391	A bill authorizing Avery Allen of Posey county, to make a deed in a certain case,	573	573	573	573	641

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other proceedings.
393	A bill to repeal part of an act to change the time of holding probate court in Ripley county,	641	641	641	641	641
394	A bill concerning State road therein named in Hancock Co.	557	557	557	557	361
395	A bill to repeal an act fixing the salary of the auditor of Miami county,	557	557	557	557	641
396	A bill to vacate a portion of a certain street therein named,	557	557	557	557	641
397	A bill to vacate a part of Union street in the town of Decutur, in the county of Adams,	557	558	558	558	641
398	A bill to incorporate the Anderson Bridge Company,	557	557	558	558	
399	A bill to locate a State road in the counties of Fulton, Marshall, Pulaski, and Stark,	557	558	558	558	655
400	A bill to locate and relocate certain State roads in the county of Miami,	557	558	558	558	
401	A bill declaring certain lots in the town of Greencastle, without the corporation,	557	558	558	558	593
402	A bill to prevent the retailing of spiritous liquors in the town of Allisonvile, Marion county,	557	559	559		
403	A bill to authorize additional election precincts in Decatur county,	557	558	558	558	655

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404	A bill making allowances to the Adjutant and Quarter Master General for the year 1847,	571	572	572	586	586, 651
405	A bill to repeal an act exempting improvements on real estate from taxation in Kosciusko and Miami counties,	557	558	558	558	
407	A bill for the relief of persons who have made improvements on school sections in the Miami Reserve,	557	558	558	558	593
408	A bill levying a tax on the inhabitants of the town of Marion,	557	558	558	558	640
409	A bill amendatory of an act to authorize the people of the several townships to prohibit the retailing of spiritous liquor,	557	559	559, 575		
411	A bill authorizing supervisiors to work a certain road in Ohio county,	558	558	558	558	640
412	A bill to improve the breed of horses in Miami county,	558	558	558	558	
413	A bill co compensate William Robinson for certain services,	558	558	558	558	640
415	A joint resolution in relation to volunteers who have settled upon Government lands,	558	558	558	558	615
416	A bill to vacate certain streets and alleys in New Carlisle, in St. Joseph county,	556	586	586	556	655
417	A bill for the benefit of the Jeffersonville and New Albany Railroad Company,	568	568	568	568	651, 655
418	A bill making additional allowance to the Secretary of State,	558	558	558, 587	588	642
419	A bill to extend the February term of the probate court in the county of Washington,	573	573	573	573	615
420	A bill to repeal an act to provide for the uniform mode of doing township business in Clay county,	558	558	558	558	640
421	A bill to incorporate the Clinton Iron Manufacturing Co.	558	558	558	558	642

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BILLS OF THE HOUSE—*Continued.*

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other proceedings.
422	A bill in relation to a portion of the northern division of the Central canal,	570	570	570	570	647
424	A bill to exempt the property of the blind and deaf and dumb from taxation,	590	591	591	601	601, 656
425	A bill amendatory to an act establishing a free turnpike road in Allen, Whitley, Kosciusko, and Marshall counties,	558	558	588	558	626
426	A bill for the incorporation of the York Guards,	558	558	558	558	640
427	A bill for the relief of William A. Richardson,	558	558	558	558	640
428	A bill to amend the 176th section of chapter 13 of the Revised Statute of 1843,	590	590	590	590	
429	A bill declaring certain acts therein named in force,	595	595	595	595	663
430	A bill changing the name of Andersontown, in Madison county, to that of Anderson,	558	558	558	558	642
431	A bill for the relief of Eleander Leas,	558	558	558	558	642
432	A bill to vacate an alley in the town of Greencastle,	558	558	558	558	642
433	A bill for the government of the Indiana hospital for the Insane,	500	500	500, 532	532	643
434	A bill regulating the width of roads in Marion county,	558	558	558	558	642

435	A bill to repeal section 88 of chapter 13 Revised Statutes 1843, and defining the duties of county auditors in loaning seminary funds,	633	633	633, 635		
436	A bill changing the name of the town of Alton, in the county of Crawford,	573	573	573	573	642
437	A bill to amend an act to repeal an act to amend the 4th article chapter 16 Revised Statutes 1843, so far as relates to Washington and Jackson counties,	558	558	558	558	655
440	A bill amendatory to an act incorporating the town of Greenfield,	571	571	571	571	631
441	A joint resolution in relation to a mail route from Bellville to Lebanon in the State of Indiana,	571	571	571	571	642
444	A bill collecting into one act the different acts fixing the time of holding court in the 11th circuit,	571	571	572		
445	A bill authorizing the State Librarian to procure a suitable book in which to record the names of the volunteers from this State,	571	571	571	571	615
446	A bill to amend the 35th section of article 2 of chapter 25 of the Revised Statutes of 1843,	571	571	571	571	642
447	A bill to amend an act to provide for the election of prosecuting attorneys in the several counties,	594	594	594, 607		
448	A joint resolution for a mail route from Brownstown to Nashville,	571	571	571	571	642
449	A bill making provisions for the payment of witnesses in certain cases,	502	502	502, 509	510	641
450	A bill amendatory to the charter of the city of Indianapolis,	501	501	501, 508	508	597, 640
451	A bill to authorize A. and A. J. Hutton to raise their mill dam,	633	633	633	633	

BILLS OF THE HOUSE.—*Continued.*

Number.	TITLE.	Received from House.	First Reading.	Proceedings before passage.	Passed Senate.	Other proceedings.
452	A bill to amend the 4th section of article 1 chapter 6 of the Revised Statutes of 1843,	502	502	502		
453	A bill to revive an act authorizing certain individuals to build a bridge across the Kankakee river,	502	502	502	538	547
454	A bill to incorporate the College Corner and Cambridge city railroad company,	595	595	595, 648		
455	A bill to legalize a certain act of the board of commissioners of Madison county,	502	502	503	538	611
456	A bill to amend an act to provide for the election of prosecuting attorneys by the people,	502	508	508	508	615
457	A bill giving leave to file claims against the estate of David Browning,	502	508	508	508	642
459	A bill to incorporate the Peru and Wabash Free Bridge Company,	502	502	802	502	643
460	A bill to authorize certain voters in Daviess county to vote in Washington township in said county,	520	520	521	521	641
461	A bill to incorporate the Henry county Turnpike Company,	502	502	502	502	643
463	A bill to confirm to Mary Williams the sale of a lot in Pittsburgh,	591	591	591	591	644

465	A bill to legalize the incorporation of the Mount Hope Cemetry near Peru,	502	502	502	502	647
468	A bill extending the provisions of an act therein named to the county of Wells,	502	502	502	502	644
469	A joint resolution in relation to the Education Society of Indiana,	591	591	591	591	644
470	A bill to legalize the sale of certain land,	591	591	591	591	615
471	A bill to locate a State road in Franklin county,	591	591	591	591	644
472	A bill to incorporate the Attica Hydrant Company,	608	608	608	608	
473	A bill to incorporate the Grand Lodge of the Oriental Evanic Order of Brethren,	636	636	636	636	647
474	A bill for the relief of Lucian Barbour, John Elder, and E. J. Peck,	590	590	590, 618	618	647
476	A bill to amend an act granting to the citizens of Lawrenceburgh a city charter,	590	590	590	590	643
477	A bill for the relief of Abram Perkins, late collector of Daviess county,	643	643	643	643	643
478	A bill authorizing the treasurer to pay Justus C. Alvord, Homer King, and Archibald T. Frink certain moneys,	549	549	549	549	576
479	A bill to authorize the building of a sewer in Vigo county,	642	642	642	642	642
480	A bill for the relief of certain persons therein named,	595	595	595	595	
481	A bill for making general appropriations for the year 1848,	627	627	627	627	
482	A bill to authorize the commissioners of Vigo county to procure a seal for the probate court,	570	570	570	570	642
483	A bill to revive an act for the location of a state road in the counties of Dubois and Martin,	570	570	570	570	642
484	A bill to incorporate the Fairfield Hydraulic Manufacturing Company,	570	571		175	

BILLS OF THE HOUSE—*Continued.*

Number.	TITLE.	*Received from House.*	*First Reading.*	*Proceedings before passage.*	*Passed Senate.*	*Other Proceedings.*
485	A bill to repeal part of section 90, article 3, chapter 16, Revised Statutes of 1843, so far as relates to Shelby county,	570	570	570	570	642
486	A bill to locate a state road in Clay and Park counties, -	570	570	570	570	642
489	A bill relative to elections in Morgan county, - -	582	582	583		
490	A bill to change a state road in Delaware county, -	582	583	883	583	643
491	A joint resolution in relation to certain canal funds, - -	582	583	583	583	615
492	A joint resolution of thanks to Elakan Moberly, - -	572	583	583	583	643
493	A joint resolution accepting the colors of the 3d regiment of Indiana volunteers, - - - - - -	593	593	593	593	642
494	A bill making the education of deaf and dumb persons in Indiana free, - - - - - - -	572	572	572	572	
495	A bill making the education of the blind in Indiana free,	572	572	572	572	640
496	A bill amendatory to the law relating to practice in chancery,	636	636	636	636	687, 642
497	A bill to authorize the building of a levee in Vigo county,	582	583	583	583	
498	A bill to change the location of a State road therein named,	582	583	583	583	6 4
499	A bill to revive an act to incorporate the town of Belleville in Hendricks county, - - - - - - - -	582	583	583	583	643
500	A bill to give additional Revised Statutes of 1843 to the county of Randolph, - - - - - - - -	582				642